

viding for employment of agents and inspectors, etc., for the period of two years who have not passed the civil-service examination; to the Committee on Ways and Means.

Also, petition of the Reform Club tariff reform committee, relative to the banana tax; to the Committee on Ways and Means.

Also, petition of the Interstate Cotton Seed Crushers' Association, protesting against the tax on colored oleomargarine and the prohibitive duty by the Austria-Hungary Government on cottonseed oil; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Petition of the Maryland Life Insurance Co., of Baltimore, protesting against mutual life insurance funds in the income-tax bill; to the Committee on Ways and Means.

By Mr. WILLIS: Petition of the officers and directors of the First National Bank of Delaware, Ohio, protesting against the passage of the Federal reserve act; to the Committee on Banking and Currency.

SENATE.

TUESDAY, July 29, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.
The Journal of yesterday's proceedings was read and approved.

TARIFF DUTIES ON WOOL.

Mr. BRANDEGEE. Mr. President, I send a telegram in the nature of a petition to the desk and ask that it may be read by the Secretary.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the telegram.

The Secretary read as follows:

[Telegram.]

NEW YORK, July 28, 1913.

Senator BRANDEGEE, Washington, D. C.:

The seasonal character of the woolen industry in all of its branches makes it all important that the dates when changes in the rates of the wool and woolen schedule go into effect should be certainly and immediately known. The dates in the House bill and those in pending Senate amendments are radically different as to the effect which will be produced upon the business of manufacturers, importers, and wholesale and retail dealers. Lack of definite knowledge is causing stagnation now which is constantly becoming more serious and will cause enormous losses in the next season's trade which might possibly be avoided. Can not the leaders of both parties get together to-morrow and, with fair consideration of those engaged in the industry, reach some conclusion concerning the effective dates of possible changes for raw wool and for finished products and thus enable those engaged in the industry to arrange their business with some intelligent understanding as to the future? The situation is exceedingly embarrassing, for the American production now is not more than one-quarter of the normal output. The vital question just now is not what the changes in rates shall be, but what will be the time limit of the present law on wool and woolens, respectively. To know that is extremely important with regard to orders to be taken by manufacturers for the spring season, and for importers and dealers as well. That season is opening now. Foreign manufacturers are already in the field, and our people are absolutely helpless because of the uncertainty. I ask this in behalf of our people in Connecticut. Please answer to Norwalk, Conn.

E. J. HILL,

Late Member of Ways and Means Committee.

Mr. BRANDEGEE. Mr. President, I desire to call the attention of the chairman of the Finance Committee to the telegram which has just been read. I think his attention was diverted during the reading of it.

Mr. SIMMONS. It was.

Mr. BRANDEGEE. I will state that it is a telegram from Hon. E. J. Hill, late a member of the Ways and Means Committee in the House.

Mr. SIMMONS. I presume I have received the same telegram.

Mr. BRANDEGEE. I am glad the Senator did, and I suppose other Senators have received the same telegram.

Mr. SIMMONS. I will say to the Senator that I have transmitted the telegram to the chairman of the Committee on Ways and Means. As the Senator understands, the question that Mr. Hill presents is a very delicate one to deal with in advance of action by the Senate.

Mr. BRANDEGEE. Mr. President, I do not think it would be a very delicate question to deal with. It may be a question that would involve conference.

Mr. SIMMONS. I mean delicate in the sense that no one feels authorized to state what would be the result of a disagreement between the two Houses in conference, which probably might change the date. No one can tell what will become of a disagreement when the matter gets into conference. The Senator knows that under the bill as passed by the House the time for the wool schedule to go into effect is the same time that is fixed for the general bill to go into effect, and in the Senate committee amendment the time for the change as to raw wool to go into effect is December, as I remember, and of manufactured

wool January. Assuming that the bill will pass as reported by the committee, there will be a dispute between the House and the Senate.

Mr. BRANDEGEE. Mr. President, in order to make more specific and clear what I, at least, understand as the object desired to be attained by the author of this telegram, I wish to say that Mr. Hill states in his telegram in substance that whatever the rate decided upon as to raw wool and as to the manufactured product, the question that is particularly worrying the whole industry in all its branches at present is as to when the rates which shall be fixed by this Congress upon those products shall take effect.

It must be perfectly apparent to everyone that the whole industry, from the purchaser of the raw material to the manufacturer, who is receiving orders and is attempting to make contracts for future delivery for the next year's supply, and the merchants, jobbers, wholesalers, and retailers, must be utterly at sea as to when to buy or what prices will be reasonable. Without waiting for the result of a conference upon the disagreeing action of the two branches of Congress, which conference may not go into session for many weeks yet, and possibly months, and may not come out until several weeks after entering upon the conference, what I had hoped for was that the chairman of the Finance Committee and the members of both parties might in some way hold some conference now as a result of which Congress might pass a joint resolution stating when whatever rates are fixed should go into operation, in order that the present incubus of doubt and uncertainty which rests upon the entire industry might be lifted from it.

Mr. WARREN. May I ask the Senator a question?

Mr. BRANDEGEE. I yield to the Senator.

Mr. WARREN. I did not hear the letter read. I only know it is from Mr. Hill, of Connecticut.

Mr. BRANDEGEE. It is a telegram from Mr. Hill.

Mr. WARREN. What is the import of it? Does it apply only to the date of the duties going into effect?

Mr. BRANDEGEE. I regard the matter of such importance that I will ask the Secretary to read it again, if there is no objection.

Mr. WARREN. I would be glad to have it read.

The VICE PRESIDENT. The Secretary will again read the telegram.

The Secretary again read the telegram.

Mr. WARREN. Mr. President—

Mr. BRANDEGEE. I yield to the Senator.

Mr. WARREN. For a moment only. I understand that the bill as reported by the committee provides that the tax shall become effective as to raw wool the 1st day of December.

Mr. SIMMONS. As to raw wool.

Mr. WARREN. And as to manufactured wool the 1st day of January.

Mr. SIMMONS. That is right.

Mr. WARREN. There is, of course, too short a time between the two dates. I will say, so far as the woolgrowers are concerned, the damage has pretty much happened, although to the few woolgrowers who have not yet been compelled to dispose of their wool to meet their debts and are still holding their product it might be of some advantage.

I wish there might be some decision such as the Senator from Connecticut asks for. I am sorry that the committee did not put a later date for wool and manufactured wool, and I do not think there is time enough between the two.

So far as the woolgrower is concerned, the fact is that we have dragged along until this year's product has been largely disposed of and we shall not get perhaps a finality as to the conference on this bill until pretty near the 1st of December. Yet it is highly important to the great industry and would be of great benefit if there could be some action taken as to the particular thing simply of the dates of application to the wool and the manufactured product as the Senator from Connecticut proposes.

Mr. SIMMONS. Mr. President, of course it is very important to all the industries of the country affected by the bill to know as soon as possible when it is going into effect. I think, as it has been said by Senators on the other side, that the country has settled down to the conviction that the bill is going to become a law, and they are anticipating and, as far as possible, adjusting themselves to it.

Of course, it is uncertain when the bill will become a law. That is a thing which can not be helped. I think it is true, as has been stated by Senators on the other side, that all the industrial interests, having accepted the certainty of the passage of this bill, are now more interested in the date when it shall become operative than they are in the rates, because they regard the question of rates as practically settled.

The best way and the most practicable way to meet this situation is to secure by the cooperation of both sides as speedy action on the bill as possible. I had hoped that there would be no disposition in any direction to delay the matter, so that the country might be given the benefit of the certainly which would result from final action.

I do not know that the wool situation is so different from that of all other industries affected. To some extent I think it is, but I do not suppose it is radically different. Yet I would be willing, if I could do anything, to relieve the situation which this telegram discloses and which we all heretofore have perceived in part; but, as I said, it is a very delicate matter. The Senate committee has fixed one date for this schedule to go into effect and the House has fixed in the bill another date. Conferees have not been appointed. It is not definitely known who will be the conferees either in the House or in the Senate. I do not suppose there is anyone in the House who would feel justified in speaking with authority for the conferees of that body. I surely would not feel justified in speaking with authority for the conferees on the part of the Senate.

As I have said to the Senator, I have done all I think I can do; I have brought this matter to the attention of the chairman of the Ways and Means Committee. I hope that during the day I may have some conference with him, but until I have had that conference I do not care to make any further statement about the possibility of any assurances that might meet the situation as outlined in the telegram of Mr. Hill.

Mr. BRANDEGEE. Mr. President, of course, no one expected that the Senator from North Carolina would be able to pledge either the majority in the House or in the Senate to any definite response at this particular time to the matter raised in the telegram and the question asked of him. What the telegram is designed for and what I think it is probably effective in accomplishing is to bring the subject to the attention of Members of Congress with a view of conferences, and that the Senator says he is about to enter into.

I do not think the matter is a delicate one, as the Senator says. Entirely irrespective of the rates and entirely irrespective of when the bill is to take effect, Congress could now, if it wanted, pass a joint resolution, after proper conference and proper thought and discussion of the subject, declaring when these new rates on wool shall take effect.

For instance, we could pass a joint resolution providing that the rates prescribed in the bill should take effect six months after the passage of the bill, or that they should take effect upon a certain date so far in the future as it would be certain that the bill would be passed before that time, but the trouble at present is not at all dependent upon the result of a conference or upon whom the conferees on the bill on the part of the two Houses may be; that is not the question. The question at present, which, as I understand, is embarrassing everybody, is that the House recommends that these duties shall take effect upon one date and the Senate Committee on Finance recommends that they shall take effect upon another date, and several amendments have already been introduced proposing that they shall take effect upon still other dates, which results in an utter confusion in the minds of everybody interested in this enormous industry all over the country.

Why it should be a delicate matter or why it should be even a difficult matter for both parties, after full and free conference upon that one question, to arrive at a definite date when the rates should take effect, at whatever point fixed, I do not see.

Mr. SIMMONS. Mr. President, the Senator should have understood me in using the word "delicate" as referring to my giving assurance about it until I had had a conference with Members of the other branch of Congress. I will state to the Senator that I do not know what course may be ultimately pursued, but the Senator knows it would be a very unusual proceeding, when we are considering a tariff measure, for Congress to pass a separate joint resolution providing and fixing a date when a measure or a part of a measure shall go into effect. What he has suggested is out of the ordinary, and his whole suggestion and that of Mr. Hill requires consideration before any statement of purpose can be properly made.

Mr. BRANDEGEE. I was not criticizing the Senator from North Carolina for using the word "delicate," if that is what he means by it. In fact, if he means by the word "delicate" that he is not in a position at present to promise anything, the Senator could safely have used a much stronger word, because, of course, he has not the power, and nobody would want him to exercise it if he had it, on the spur of the moment, without conference and consideration.

As to the course suggested by me of the passage of a joint resolution which would fix definitely some date when these new

rates would take effect, the Senator says that might be an unusual procedure. I am not certain whether or not it has ever been done; but even if it were unusual, if I recall recent history, there have been several somewhat unusual things done in the last few years in legislation. I should not think that the mere fact that it was a new departure, or that we were unaccustomed to it, need prevent us from doing it if, in our sound judgment, we thought it was a wise and a proper thing to do.

It seems to me if we could agree upon a date it could not possibly hurt anybody. In the amount of trouble that is sure to arise in the era of passing from one principle of raising revenue and one principle of tariff duties to another, necessarily there is some confusion. Even if the majority be correct in their claim that their proposal is the better system, there necessarily will be great confusion. If we can, by even the smallest degree, ameliorate the necessary hardships and uncertainties incident to the passage from one policy to another, nobody would be harmed by our doing it, Mr. President.

Mr. SIMMONS. I imagine the Senator from Connecticut would have some trouble if he were to sit down and undertake to write a joint resolution such as he is now proposing. I do not know whether he would base such a joint resolution upon the certainty that this bill will pass or not. Probably he would base it upon a contingency; and an act of Congress based upon a contingency would be rather an odd spectacle, I think, in legislation.

Mr. BRANDEGEE. I think, Mr. President, that my hand retains sufficient cunning to rise superior to the tremendous task of framing even a contingent joint resolution. I admit that I am somewhat cheered by the use of that hypothetical word in the mouth of the Senator, for I had hitherto regarded—I say it not by way of boasting, but confessing—that it was pretty certain that some bill changing the rates of duty upon wool would be passed; but if the Senator at this stage of the proceedings regards it only as a possible contingency, I hope the producers of the country will cheer up and take a little hope, which I think up to this point they have abandoned.

Mr. SIMMONS. I assume from what Senators on the other side have said that they regard it as a certainty.

Mr. BRANDEGEE. I think, Mr. President, to be perfectly frank—and I have so written all my constituents who have been interested in this measure—that it was certain a Democratic tariff bill would be passed, the particular schedules not being absolutely certain, but its passage being certain unless we could convert some of the majority to the truth, to our way of thinking; but the more I see of the conduct of the majority during this session the less hope I have of being able to bring any of them to repentance and to seeing the true light.

Mr. SIMMONS. I do not think the Senator has any chance of doing that.

Mr. BRANDEGEE. I think that is true.

Mr. POMERENE and Mr. JAMES addressed the Chair.

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BRANDEGEE. I yield first to the Senator from Kentucky.

The VICE PRESIDENT. Just a moment. The Chair inquired if the Senator from Connecticut would yield to the Senator from Ohio.

Mr. BRANDEGEE. If that is the inquiry of the Chair, I say no. I yield first to the Senator from Kentucky.

Mr. JAMES. Mr. President, I merely wanted, in regard to the statement of the Senator from Connecticut that unusual things have been done in the last few years in Congress, to ask him, in the case of a bill which we were considering and which we expected to pass, if it did become a law whether we could, by a joint resolution such as the Senator suggests, control legislation thereafter to be enacted as to the time when the schedules themselves would be effective?

Mr. BRANDEGEE. Certainly not, if the majority wanted to violate the pledge they had given to the country; but even I have not had that opinion of the majority. If the majority pledged itself to the country that the rates they had prescribed should go into effect on a certain day, I think they would have conscience and honor enough to conform to the pledge and to put it into the bill according to the joint resolution.

Mr. JAMES. That is quite true. Then, of course, the joint resolution which the Senator suggests would be entirely unnecessary, because the same thing could be done by agreement just as effectually as by action of Congress.

Mr. BRANDEGEE. Absolutely. It could be done by agreement; and if there was any way of Congress pledging itself in a matter of honor like a unanimous-consent agreement, as in the Senate, I am certain that an agreement by both branches of Congress would satisfy the country. My suggestion of the

passage of a joint resolution was simply the putting of it in official form, which would be the proper way of the two Houses joining in concurrent action.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BRANDEGEE. With pleasure.

Mr. POMERENE. I agree with the Senator from Connecticut that the thing to be desired is to know when this bill and each schedule thereof shall go into effect. It seems to me that it is difficult to tell in advance just what this body may do. Further, it is more difficult to tell just what the conference committee might do. In view of those uncertainties, it seems to me that the Senator from Connecticut could aid very materially in clearing the atmosphere if he and his colleagues on the other side of the Chamber would suggest an early day when we might vote upon the bill. I hope the Senator from Connecticut will make a suggestion in that behalf.

Mr. BRANDEGEE. The Senator from Ohio flatters me in attributing to me the enormous influence he thinks I have with the minority of this body.

Mr. POMERENE. If the Senator does not have that influence, he ought to have it.

Mr. BRANDEGEE. Whether I ought to have it or not is a question of opinion; but I will say to the Senator that, so far as I have heard, I believe there is absolutely no disposition upon this side of the Chamber to unnecessarily delay the passage of the proposed tariff bill. The Senator knows, and every other member of the majority knows, that a matter of this kind in all its parts ought to be considered carefully and thoroughly. It is due to the country that there should be adequate debate upon these proposed revolutionary changes, which we believe are seriously to incommode the industries of this country.

If the Senator could give us some assurance that immediately we shorten the debate to the minimum upon the tariff bill we would be allowed to go home and pacify the apprehensions of the country, excited by its passage, instead of being plunged into the consideration of another embarrassing question, to wit, the change of our whole banking and currency system, which is quite as basic a controller of the welfare of the country as the tariff, I think we might get together upon this question a great deal more quickly than it looks as though we could at present.

Mr. POMERENE. Mr. President, "sufficient unto the day is the evil thereof."

Mr. BRANDEGEE. That is what I think.

Mr. POMERENE. And it does seem to me that, in view of the great apprehension which the Senator feels from the contemplated passage of this bill, we could largely do away with the uncertainty by passing it at once. The distinguished ex-Congressman whose telegram was read here suggests that business men are more interested in the date when the schedules are going into effect than they are in the particular rates. I know that that sentiment prevails generally everywhere. I am sure that that is true in my own State. Having that thought in mind, and in view of the further fact that the Senator has assured his constituency that a Democratic measure is to be passed, it seems to me that, whether we look at it from a Democratic standpoint or from a Republican standpoint, the sooner we vote upon the bill and can give the assurance of certainty to the public the sooner we will to that extent be aiding everybody.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from New Hampshire?

Mr. BRANDEGEE. I yield to the Senator.

Mr. GALLINGER. Mr. President, the solicitude of the Senator from Ohio [Mr. POMERENE] that we should take speedy action on the pending bill is very touching. I recall the fact that when the last tariff bill was under consideration it was debated here for two months and was in conference a full three weeks. I recall the fact that the present bill was held in committee and in caucus by our Democratic friends covering a period of a good many weeks; in fact, I believe it was so held something over two months, and there did not seem to be any solicitude to get it before the Senate. Now, when we are legitimately debating a very important measure, we are appealed to to allow it to pass speedily so as to pacify the country.

Mr. President, as I recall the matter, although it may not have been stated in terms, we were invited by the President of the United States to come here to consider tariff legislation. Since then, for some inscrutable reason, the Chief Executive, if we may credit what we are told and what we read, has determined to force a currency bill through Congress at this present session. One of the morning papers tells us that that is his purpose and determination, and that nothing is to stand in the way of it. Indeed it is stated with apparent authority

that it is to be submitted to a Democratic caucus. I simply desire to say that if we are to be kept here until the snow flies we might as well be kept here on the tariff bill as on any other bill, and there is abundant material for discussion that will interest the country in reference to the pending measure.

I will further add that I think it is rather a spectacle, after Congress has been kept here in session late in the summer during the past five or six years, that we should again be kept here all summer, sweltering in the heat, when everybody is tired out and a great many Senators are absent and more will be absent, for the purpose of considering a measure which I think I am safe in saying no considerable proportion of the Senate believes will be enacted into law at this session of Congress.

For that reason, Mr. President, I join with the suggestion made by the Senator from Connecticut [Mr. BRANDEGEE] that if we can have the least earthly assurance that when we have passed the tariff bill, for the consideration of which the President invited us in session, and then can have an opportunity to get a little rest, such as the Government clerks take every summer, such as the Cabinet officers take from time to time, such as everybody takes in the summer season, and which is thought to be a necessity for the health of the people—if we can have any assurance whatever along that line, I think we will probably make more progress toward securing a vote on the tariff bill than we otherwise will. Under these conditions we will probably be able to agree upon a time to vote, which will be hardly possible if currency legislation is to be pressed upon a tired and reluctant Congress.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BRANDEGEE. With pleasure.

Mr. POMERENE. I did not mean by anything that I suggested that we should not have reasonable debate on this bill. I agree that we ought to have; but I do not believe that it should be unreasonably prolonged. I was led to make the suggestion in view of the solicitude which is felt, not only on the other side but upon this side, that the uncertainty as to the date when this bill may pass and the date when schedules may take effect should be removed as quickly as possible. That suggestion is met by my very good friend from New Hampshire by saying that if we can not secure an agreement as to what shall be done on the currency question, we shall continue the uncertainty under which the public is suffering by means of further debate on the tariff bill.

Mr. GALLINGER. Mr. President, after this side of the Chamber shall have debated this bill as long as our Democratic friends debated the last tariff bill there might be some reason for the chiding in which the Senator indulges. We look upon this bill with far more solicitude than even the Democrats could have looked upon the Payne-Aldrich tariff bill. We believe it is going to destroy innumerable industries of the industrial North, and we are not going to permit it to pass, without any reference to any other bill, without full debate. The Senator will not even intimate that the debate thus far has not been legitimate or that there has been any unusual delay or any discussion for the mere purpose of delay.

Mr. POMERENE. The only difference seems to be that the solicitude of the Democrats, so far as the Payne-Aldrich bill was concerned, was justified, even in the estimate of most of the Republicans of the country.

Mr. GALLINGER. Well, that does not appear; the facts do not warrant that statement. The Senator from Wyoming [Mr. WARREN] presented some figures yesterday which disprove that allegation. There is no evidence whatever in support of that contention. The vote at the last presidential election does not justify the claim that the people of this country have ever voted for a bill such as we are now considering.

Mr. KERN. Mr. President, will the Senator allow me?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Indiana?

Mr. BRANDEGEE. I should like to be courteous to all, and I will yield to the Senator.

Mr. KERN. I only desire to ask the Senator from New Hampshire if in the last campaign all the members of the Progressive Party, from Col. Roosevelt down, did not on every stump in this country denounce the Payne-Aldrich tariff bill and denounce President Taft for his connection with it?

Mr. GALLINGER. They did find fault with some schedules of the bill.

Mr. KERN. And yet the Senator now stands here, as the Senator from Wyoming did on yesterday, and seeks to convey the idea that the Progressive Party and the Republican Party were united in the defense of the Payne-Aldrich tariff bill.

Mr. GALLINGER. The so-called Progressive Party did find fault with some schedules of that measure, but they never committed themselves to a bill such as we are now considering.

Mr. KERN. I was addressing myself to the remarks of the Senator from New Hampshire and the remarks of the Senator from Wyoming, in which they pictured the two political parties to which I have referred as standing together for the Payne-Aldrich tariff bill as against the Democratic Party.

Mr. GALLINGER. Not that exactly.

Mr. KERN. I want to say that no more ferocious assaults on the Payne-Aldrich tariff bill were committed than were committed by the party headed by Col. Roosevelt in the last campaign.

Mr. GALLINGER. Mr. President, I do not agree to that. What we contend is that the Progressive Party, as well as the Republican Party, stood for adequate protection to American industries. That is all we claim. I want to add that, in addition to the votes to which the Senator from Wyoming [Mr. WARREN] called attention, there were hundreds of thousands of protectionist Republicans who voted for Mr. Wilson, simply because they feared the candidacy of a certain other gentleman, whom they determined to defeat at all hazards.

Mr. KERN. Why?

Mr. GALLINGER. The Senator asks why?

Mr. KERN. Yes; why did they fear the candidacy of the other gentleman?

Mr. GALLINGER. It is not necessary to go into that. It is a fact, and the Senator from Indiana knows it to be a fact. Every intelligent man knows it to be a fact. There were hundreds of thousands of Republicans in the country who voted for Mr. Wilson for that reason.

Mr. KERN. Hundreds of thousands?

Mr. GALLINGER. Yes; hundreds of thousands.

Mr. KERN. I was not aware of that fact.

Mr. GALLINGER. It is a fact, nevertheless.

Mr. KERN. I hope they will remain true to their allegiance.

Mr. GALLINGER. The Senator's hope is illusory. It will not happen. They will not remain. They are going to leave the Democratic Party as speedily as they can, as a large majority of the people of this country are going to leave the Democratic Party at the first opportunity.

Mr. KERN. And become standpatters?

Mr. GALLINGER. They will become protectionist Republicans.

Mr. KERN. Standpat Republicans? I doubt that.

Mr. GALLINGER. Protectionist Republicans, as against the free-trade theories and doctrine of the Democratic Party.

Mr. WARREN. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Wyoming?

Mr. BRANDEGEE. I do.

Mr. WARREN. I desire to say that the Senator from Indiana probably did not hear, nor has he probably read, what I said yesterday. The matter of the Payne-Aldrich bill was not under discussion in my remarks. I stated that the majority of the people of the country recorded themselves for the protective principle as against free trade or a tariff for revenue only.

Mr. KERN. Will the Senator allow me to interrupt him?

Mr. WARREN. Certainly.

Mr. KERN. How did the hundreds of thousands of Republicans referred to by the Senator from New Hampshire [Mr. GALLINGER] record themselves on the tariff question?

Mr. WARREN. They recorded themselves, as oftentimes people do, as accepting the least of what they deemed two evils in the personality of candidates.

Mr. BRANDEGEE. Mr. President, in reply to the Senator—

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. Certainly.

Mr. BRISTOW. In view of the remarks that have been made, I desire to say that, so far as the discussion of the tariff is concerned, as far as my part in it goes, it has not been and will not be influenced in the slightest degree by what Congress may do after this bill is passed. If it is decided to stay here and enact additional legislation, I will stay and do the best I can. For me that should not be an excuse for hastening or for delaying the passage of this bill. I believe any tariff bill should be thoroughly discussed. I think we owe that to the country in order that it may know what our opinions are on the various paragraphs of the bill, and then let the country pass upon the measure, as it ultimately will.

Mr. KERN. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut again yield to the Senator from Indiana?

Mr. BRANDEGEE. I do.

Mr. KERN. May I inquire of the Senator from Kansas if he disclaims allegiance to the Republican Party? He speaks of "my party."

Mr. BRISTOW. I never spoke of "my party."

Mr. KERN. I understood the Senator a moment ago to say "the party to which I belong."

Mr. BRISTOW. I spoke of the debate, as far as any part that I took in it was concerned. I had not in mind any party. I am undertaking to discuss a great economic question.

Mr. KERN. I was about to inquire of the Senator from Kansas whether he has not been engaging and taking part in Republican caucuses during the present session of Congress.

Mr. BRISTOW. I have not. I was not aware that there had been any Republican caucus. If there has been, I have not heard of it and have not attended.

Mr. JAMES. What about a Republican conference?

Mr. BRISTOW. I would attend it if I thought I could do good by doing so.

Mr. GALLINGER. Mr. President, if the Senator will allow me, there has been no Republican caucus during the present session, and there will be no Republican caucus.

Mr. KERN. May I inquire what you call the assemblages or conferences or consultations that you have held?

Mr. GALLINGER. The Republicans of the Senate, now in the minority, get together and talk over matters in a good-natured way, just as our Democratic friends do, in the cloak-room, but we hold no caucuses.

Mr. KERN. In the presence of newspaper reporters?

Mr. GALLINGER. No; they have not asked to be present. I think we might well have permitted them to be present. Not a word has ever been said in a Republican conference that the newspapers and the world might not have known.

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. I do.

Mr. BRISTOW. The remarks of the Senator from Indiana lead me to say, in addition, that personally I should not attend any caucus of any party, whether I belonged to it or not, if that caucus was to shape legislation in secret. I do not believe that is the proper way to legislate. I think a bill made in a secret party caucus should be discussed fully in the open after it is made; and the fact that the majority saw fit to take this bill into a secret caucus to perfect it and keep it for six weeks or more is no reason for hurrying it through the Senate without full and proper discussion.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from North Carolina?

Mr. BRANDEGEE. I do not decline to yield to any Senator; but I simply wish to express the hope that I will be allowed to conclude the very brief remarks I have to make, and then Senators may talk among themselves as much as they please about other things after I have sat down. But I will yield to the Senator from North Carolina, because I do not wish to discriminate.

Mr. SIMMONS. I do not desire to address myself to the subject the Senator is discussing; and if he wishes to continue, I will wait until he is through.

Mr. BRANDEGEE. Mr. President, referring to the suggestion of the Senator from Ohio [Mr. POMERENE] that there had been an admission in the telegram we are discussing that the vital question is not one of rates, but is as to when they take effect, I wish to say that the language of the telegram is:

The vital question just now is not what the changes in rates shall be, but what will be the time limit of the present law on wool and woolsens, respectively.

"The vital question just now" is not one of rates. Of course, knowing that Mr. Hill is a good protectionist, I assume he has taken it as a foregone conclusion that the question of rates is going to be decided upon a Democratic theory, and therefore that is conceded, and the vital question now is when the rates shall take effect. Of course, no member of any party would mean to be literally bound to the statement that the rate on wool is not a vital question.

As to the further suggestion of the Senator from Ohio that it is important that we should get together and tell him what we are going to do upon the currency question, I would politely suggest to him, if he considers that matter of such great importance as his earnest manner would indicate, that he betake him-

self with his harmonizing influence to another body and see what effect he will have in getting an agreement as to what currency legislation is going to take place out of the control in which it has rested, and apparently is likely to rest, in another body for several weeks to come, at least.

Not to be diverted any further, Mr. President, I am glad to hear the chairman of the Finance Committee say that he will take up this matter in earnest with his colleagues, and that he has already laid the foundation for a conference with the chairman of the Ways and Means Committee of the House. I am certain that if the chairmen of these two great coordinate committees, with their influence as the leaders of their parties upon this branch of legislation, take up this matter with the serious purpose of attempting to inform the country as to when the change of rates on wool and woolen goods shall take effect, there is not a doubt that it is absolutely within their control to relieve the country from any apprehension as to the woolen schedule concerning the time when those rates shall take effect.

Mr. SIMMONS. Mr. President, I recognize the fact that we are dealing with a great subject, and that discussion and debate are necessary. I have not at any time criticized the minority for the time they have taken in discussing the pending bill. I think discussion on their part is entirely legitimate; and possibly with the exception of some little waste of time in connection with certain items, for which nobody could be held responsible, so far as I know, there has been no abuse of the privileges of debate on the part of the minority. Surely I am not disposed to criticize them, nor am I disposed to press them unduly.

Personally I have not yet suggested a time for a vote upon this bill. I have refrained from doing so because I thought we had not proceeded sufficiently far in the discussion to enable the minority to name a date when they would be willing to vote. I have been advised, however, that members of the Finance Committee representing the minority have been conferring with a view to ascertaining what date they might possibly agree upon. I have had assurances that were very pleasing to me that there was a disposition on their part to fix as early a date as they thought would allow sufficient time for debate.

I hope the Senator from New Hampshire [Mr. GALLINGER], in making his statement a little while ago about "staying here until the snow flies," did not mean that there is any disposition, any change of purpose, on the part of the minority that will result in a prolonged and unnecessary discussion of the bill. I can not believe he meant that.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. SIMMONS. I do.

Mr. LODGE. I think what the Senator from New Hampshire meant—I know it is my own view—is that if we are given to understand, as we now are, that we are to remain in session indefinitely, in order to dispose of a banking and currency bill as soon as the tariff bill is out of the way, I think it will inevitably delay the consideration of the tariff bill, for the simple reason that then there will be no particular object in hurrying.

Mr. SIMMONS. Does not the Senator consider the situation of the country?

Mr. LODGE. I am considering the situation of the country.

Mr. SIMMONS. And the earnest desire of the business interests of the country at this time that the matter should be settled? Does he not consider the great interests that are involved?

Mr. LODGE. I am quite as anxious about the situation of the country as any Senator. I am speaking of the practical result. Senators on this side are just as anxious to finish this bill as Senators on that side.

Mr. SIMMONS. I have been led to believe that.

Mr. LODGE. We do not want to delay it. Now we are told that no matter how soon we act we are to be kept here just the same; we are to be kept here indefinitely—until December. It may be that we should put all that aside; but human nature is so constituted that when we are told that there is to be no chance for rest, recess, or any change after we pass the tariff bill, it removes one incentive for rapid work.

Mr. SIMMONS. Mr. President, in view of the great anxiety of the country, in view of the deep and wide and far-reaching interest of business in the speedy determination of this measure, I am exceedingly sorry to hear the intimation of the Senator from Massachusetts that the bill may be held up because it is proposed to pass some other measure during the present session of Congress.

Mr. LODGE. Mr. President, I hope the Senator will not misrepresent me.

Mr. SIMMONS. I do not intend to do so. I thought that was the meaning of the Senator.

Mr. LODGE. I did not say there was any intention of holding up this bill. There is no such intention; but it is inevitable that if the chance of adjournment is indefinitely removed the energy for work will be diminished.

Mr. SIMMONS. I ask the Senator if he does not think his statement now and his statement a little while ago justify the conclusion that he meant that if we were to be held here to consider and act upon a currency measure this bill would be purposely delayed?

Mr. LODGE. No, Mr. President; there will be no purpose of delaying this bill, no matter what is determined upon.

Mr. SIMMONS. I am very glad to hear the Senator say that.

Mr. LODGE. I am speaking of what will inevitably happen. From his long experience in the Senate the Senator knows as well as I do that if there is a prospect of adjournment and getting a vacation, to which we are entitled—some of us are now passing our fifth summer in succession here—there is many a Senator on this floor who will sacrifice something he wants to say, and perhaps ought to say, in order to get away. He knows that early adjournment is a stimulant to legislative action.

Mr. GALLINGER. We would agree to longer hours, for example.

Mr. SIMMONS. But the consideration of another bill ought not to be a stimulant for delay, except as an incident.

Mr. LODGE. Mr. President, many people feel that this is no time, in the heat of summer, with an exhausted Congress after a long tariff debate, to take up a banking and currency bill, which in my judgment is ten times as important in its effect on the business of the country as the tariff, grave as that is. They feel that it is not the time to take up such a bill and undertake to deal with it. It is not the time to reach decent legislation upon that subject.

We all know that the banking laws need reform and change. We are agreed on that. There are many points in the law that have been presented on which I think all men who have reflected on the subject are agreed. There are some others to which many people are utterly opposed, as they think they will be ruinous in their effect. We must have, we ought to have, a long and thorough debate. It is not good legislation to try to force through a bill of that sort in a tired Congress, when it ought to have the best attention of a Congress in its consideration, and it will not make a difference of three or four weeks in the time when the banking and currency bill becomes a law.

Mr. SIMMONS. Mr. President, I have no disposition whatever to enter into any discussion with reference to the proposed currency legislation. That is a matter which must take care of itself. I am not advised, personally, as to its situation nor as to the probability of action with reference to it at this session. All I was concerned about at this time and all I desired to know was whether there was a fixed purpose on the part of the minority to delay the tariff bill if currency legislation was projected upon Congress. I am glad to have the assurance of the Senator from Massachusetts that there is no such deliberate, fixed purpose.

Mr. LODGE. There is no such intention, Mr. President.

Mr. SIMMONS. That is all I was concerned about. I do not desire to say anything further on the subject.

Mr. LODGE. If the Senator will allow me a moment, all I desire to say is that men will not and can not be expected to work as well if they know there is stretching before them a session of indefinite length as when they can see some end to their labors and some prospect of getting away. They will not work as well even if they mean to hurry a bill as much as they can, which I think is the present intention.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. SIMMONS. I do.

Mr. BORAH. Mr. President, if anything has been said here this morning which leaves the impression that there is going to be any delay upon this side of the Chamber by reason of the threatened currency legislation, that does not represent the view entertained by a considerable number of Senators on this side of the Chamber. Whatever debate may be necessary or proper to present this bill properly to the country will undoubtedly be had and ought to be had. But, expressing my own view, and I think that of some others, there should be no delay here simply because other important legislation is contemplated. If any intimation has been made to that effect or so understood, while it may represent an individual view, it does not represent the entire view entertained on this side of the Chamber.

Mr. SIMMONS. Mr. President, I am exceedingly glad to hear the statement of the Senator from Idaho. I had understood that to be the feeling of many Senators, at least, on the other side of the Chamber.

Mr. GALLINGER. Mr. President, I have on more than one occasion made that very suggestion to the Senator from North Carolina.

Mr. SIMMONS. Yes; and therefore I was somewhat grieved when I heard the Senator's statement this morning, because I did not know exactly what the Senator meant.

Mr. GALLINGER. The Senator need not be grieved and he need not be laboring under any misapprehension. What I meant to say or what I meant to imply was that if we can come to an agreement to vote on the tariff bill with the understanding that we have then accomplished our work for the session, then we can doubtless shorten the debate for the reason that we can lengthen the hours and some Senators would refrain from making speeches that they had contemplated making. But if we can not agree upon a vote, and we certainly can not now, and I apprehend we will not in the near future if the newspapers every morning tell us that the President of the United States is going to force a certain other measure through that is going to be determined in Democratic caucus, as I understand it is to be determined in Democratic caucus in the near future in another body—if that matter is facing us no unanimous-consent agreement to take a vote on this bill is possible; while if a different condition prevailed a unanimous-consent agreement might be arranged and we could shorten the time of the debate very much.

Mr. SIMMONS. I have not asked for a unanimous-consent agreement because I knew that the other side was not at present ready to respond to such a request.

Mr. GALLINGER. Mr. President, I have only one further word to say, and that is that the Republicans have had no caucus and will have no caucus on this or any other bill, and the further observation that so far as I am concerned I want this debate to go on in a proper way, a decent way, giving every Senator on both sides of the Chamber—and I exceedingly regret that we are not given more enlightenment on the other side as regards this bill—an opportunity to express his views, to debate amendments, and to take such time as he feels he is entitled to because of the great interests that are involved in this legislation.

I think after a little we will come to the conclusion, which has been expressed to me by more than one Democratic Senator, that we are not going to have currency legislation at this session, and we will get an agreement to vote on this bill.

Mr. SIMMONS. Mr. President, I think before we get through with the consideration of the schedules Senators on the other side will have all the enlightenment from this side that they want.

Mr. GALLINGER. We are very greatly in need of a little more than we have had up to the present time.

Mr. SIMMONS. I think this side has been discussing the schedules pretty fully, certainly to our satisfaction if not to the satisfaction of the other side.

Now, Mr. President, while I have no criticism to make of the time taken by the other side in general debate and even in the discussion of the schedules, I think both sides of the Chamber, if I must speak frankly, are wasting nearly every day a good deal of time in the discussion of purely collateral and sometimes immaterial matters. We have to-day spent nearly an hour and yesterday we spent probably two hours in the discussion of matters not pertinent to the bill.

Mr. BRANDEGEE and Mr. SUTHERLAND addressed the Chair.

Mr. SIMMONS. If the Senators will let me finish, I am not criticizing, but I am saying that is one of the things that is taking up a good deal of our time.

Mr. SUTHERLAND. I wish to ask the Senator a question. Mr. SIMMONS. And one side is just as responsible as the other side. I am not blaming the other side of the Chamber. I am just expressing the hope that we may curtail these discussions and get down to a consideration of the bill.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Connecticut?

Mr. SIMMONS. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I understood the Senator to say that a great deal of time had been taken up by the discussion of immaterial and irrelevant matters.

Mr. SIMMONS. I said sometimes immaterial and irrelevant matters.

Mr. BRANDEGEE. Do I understand that the hour which has been occupied this morning is an instance of the immaterial matters?

Mr. SIMMONS. No; I did not mean that this was an immaterial discussion, but I think we have taken more time this morning in the discussion of this matter than was necessary. I am not blaming that side or that Senator. I have been a party to it as much as he has.

Mr. BRANDEGEE. The Senator agrees, does he not, that the question raised this morning as to when the wool rates shall become effective is a very material question?

Mr. SIMMONS. I am not questioning that it is an important matter at all; I am just expressing the hope that we may curtail these discussions as much as possible.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. With pleasure.

Mr. SUTHERLAND. Mr. President, this general debate in the Senate has continued, I think, for a little less than two weeks.

Mr. SIMMONS. And very satisfactorily, I will say to the Senator. I am making no complaint about it.

Mr. SUTHERLAND. I want to ask the Senator from North Carolina, because I do not remember the date, how long this bill was in the Democratic portion of the Finance Committee and in the Democratic caucus before it was reported after it came from the House?

Mr. SIMMONS. It was over six weeks after it came from the House before it was reported.

Mr. SUTHERLAND. Something over two months, was it not?

Mr. SIMMONS. I can not state definitely. It was somewhere near two months.

Mr. SUTHERLAND. Does the Senator remember what date it came here? Was it not May 13?

Mr. LODGE. On the 8th it passed the House.

Mr. SIMMONS. I think it was referred to the committee on the 13th.

Mr. SUTHERLAND. It came to the Senate the 8th day of May. So it was pending before the Democratic portion of the Finance Committee and the Democratic caucus something over 2 months—2 months and 10 days. It seems to me that after the bill has been debated in the Senate even that length of time, which will bring it to about the 15th or 20th of September, the Senator from North Carolina might then begin to express impatience.

Mr. SIMMONS. Does the Senator mean that it is the purpose of his side to debate it that long?

Mr. SUTHERLAND. I am not informed just what the purpose of this side is, but I suggest that a bill of sufficient importance to justify the Democratic part of the Senate in considering it for 2 months and 10 days is certainly a bill of sufficient importance to justify the Senate as a whole in discussing it more than two weeks, and it would not be out of the way if we discussed it two months.

Mr. SIMMONS. Does the Senator mean to say that I have stated that the discussion of it at this time was not proper and legitimate, or that I have in any way complained of it?

Mr. SUTHERLAND. I understood the Senator to express some impatience at the progress of the debate now going on. He criticized the time—

Mr. SIMMONS. I said the discussion of the bill was proceeding very satisfactorily, but what I complained of was the time consumed in discussing these things outside of the bill when the bill was not before the Senate; and I was not complaining of that side any more than this side.

Now, to be entirely accurate, I will state to the Senator the bill was referred to the committee on the 16th day of May. I was mistaken when I said it was the 13th. It was reported back July 11.

Mr. SUTHERLAND. I think we are making very satisfactory progress.

Mr. SIMMONS. Mr. President, what is before the Senate?

The VICE PRESIDENT. The presentation of petitions and memorials is still in order.

Mr. McLEAN. Mr. President, if in order, I should like to give notice—

Mr. SIMMONS. I ask unanimous consent that the Senate proceed to the consideration of unfinished business.

Mr. BRANDEGEE. I shall have to object until the morning business is completed.

Mr. SIMMONS. I thought the morning business was over, and that the Senator from Connecticut [Mr. McLEAN] was rising to take the floor on the unfinished business. I was advised that he would speak upon it.

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. SIMMONS. Then I withdraw my request.

Mr. McLEAN. I rose simply for the purpose of giving notice that on Wednesday, July 30—that is, to-morrow—I will address the Senate on the pending tariff bill.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present a petition of the Board of Harbor and Land Commissioners of the Commonwealth of Massachusetts, favoring the improvement of certain waterways in that State. I ask that the petition be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the petition was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF MASSACHUSETTS,
BOARD OF HARBOR AND LAND COMMISSIONERS,
State House, Boston, July 16, 1913.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

The petition of the undersigned, the Board of Harbor and Land Commissioners of the Commonwealth of Massachusetts, respectfully represents—

That in view of the importance of a comprehensive development of the rivers and harbors of the Commonwealth of Massachusetts, and in order to provide an adequate depth of water not only along the coast line but extending to and through the various harbors, rivers, and inland waterways, and to enable the Commonwealth by appropriations therefor to formulate and carry into effect plans for dredging and other works in conjunction therewith and in furtherance of projects approved by Congress, it is respectfully requested that the policy of the United States with respect to the improvement of rivers and harbors be continued and extended to the end that there may be such practical co-operation between the Federal Government, the Commonwealth of Massachusetts, other New England States, municipalities, and private parties with respect to such works as will result in a more extended improvement not only of harbors but of various rivers, particularly the Connecticut, Merrimack, and Taunton, on which are now located, and may be located, manufacturing plants and other commercial and industrial establishments which are handicapped by reason of noncompetitive means of receiving and forwarding freight and raw material.

D. S. McNARY,
GEORGE E. SMITH,
CHARLES C. PAINE,
Harbor and Land Commissioners.

Mr. JOHNSON of Maine (for Mr. BURLEIGH) presented a memorial of the Business Men's Association of Orono, Me., remonstrating against the reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

Mr. LEA presented a paper in support of a bill (S. 2330) for the relief of the estates of Nathan and Rebecca Dungan, deceased, late of Gibson County, Tenn., which was referred to the Committee on Claims.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON of Alabama:

A bill (S. 2843) appropriating \$100,000 as reward for the discovery of a remedy to put an end to the ravages of the boll weevil; to the Committee on Agriculture and Forestry.

By Mr. SHAFROTH:

A bill (S. 2844) granting a pension to Sarah A. Van Note; and

A bill (S. 2845) granting a pension to Mary E. Kellermann; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 2846) granting an increase of pension to George H. Partridge; and

A bill (S. 2847) granting a pension to Sarah J. Hamlin; to the Committee on Pensions.

By Mr. JOHNSON of Maine (for Mr. BURLEIGH):

A bill (S. 2848) granting an increase of pension to William A. Rhoades; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2849) to increase the pension of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States;

A bill (S. 2850) granting an increase of pension to Susan Liggins; and

A bill (S. 2851) granting a pension to Cornelius Branning (with accompanying paper); to the Committee on Pensions.

A bill (S. 2852) for the relief of John Lindsay; to the Committee on Naval Affairs.

A bill (S. 2853) for the relief of George W. Hahn; to the Committee on Military Affairs.

By Mr. LEA:

A bill (S. 2854) granting an honorable discharge to William C. Chandler; to the Committee on Military Affairs.

A bill (S. 2855) to correct the naval record of Lieut. William S. Cox, United States Navy; to the Committee on Naval Affairs.

AFFAIRS IN MEXICO.

Mr. SHEPPARD. I offer the resolution which I send to the desk, and ask to have it read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 142) was read, as follows:

Whereas every true American citizen feels an instinctive sympathy with any people who are pouring out their blood and treasure in order to secure the blessings of liberty for themselves and their posterity: Therefore be it

Resolved, That the Committee on Foreign Relations is hereby requested to advise the Senate whether, in their opinion, this Nation should recognize the belligerency of the revolutionists in Mexico and accord them the proper international status to which they may be entitled; and

Resolved further, That the President and Secretary of State are hereby requested to lay before the Senate such information as they may possess regarding the cause and progress of the present revolt in Mexico.

Mr. GALLINGER. Mr. President, I suggest to the Senator from Texas, before the resolution is referred, that after the words "the President and Secretary of State are hereby requested" the words "if not incompatible with the public interest" be inserted.

Mr. SHEPPARD. I ask that those words be inserted.

The VICE PRESIDENT. The resolution will be so modified, and it will be referred to the Committee on Foreign Relations.

THE PANAMA CANAL (S. DOC. NO. 146).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

I transmit herewith a report by the Commission of Fine Arts, containing their recommendations regarding the artistic character of the structures of the Panama Canal, made in pursuance of the authority contained in section 4 of the act of Congress to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone, approved August 24, 1912.

WOODROW WILSON.

THE WHITE HOUSE, July 29, 1913.

The VICE PRESIDENT. The message will be printed, and the message and accompanying papers, maps, and illustrations will be referred to the Committee on Inter-oceanic Canals.

THE TARIFF.

Mr. SIMMONS. I ask unanimous consent that the Senate proceed to the consideration of House bill 3321, the tariff bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. STERLING. Mr. President, I do not know that I can add anything of value to this discussion; it has already covered a wide field, and the senior Senator from North Dakota very ably presented the cause of many of the agricultural interests of my State as well as those of his own. They are to some extent identical. But I have been deeply interested in the debate, and certain considerations relating to party policies, and, I may say, to sectional interests and power, have appealed to me; likewise the thought that the bill before us does not reflect the national sentiment and is contrary to a sound and progressive national policy. To these matters, without much effort as to arrangement, I thought I might call the attention of Senators, and then quite briefly to the effect this bill, if it becomes a law, will have upon a prospective industry of my State.

From the beginning it has seemed to me not altogether a question of a radical reduction in this or that schedule, or of putting on the free list articles now subject to a substantial duty. Such a course might have been pursued and the revenues to the Government from this source been thereby reduced and the bill be yet considered a high-tariff measure.

We may even grant, for the sake of argument, that this was done in 1909, with the result that a law which was unsatisfactory and which, in the opinion of many, left a party-platform pledge for a substantial revision downward unredeemed.

But in making that or any other pledge for revision or reform of the tariff there was no abandonment of the principle of protection. American labor was to be protected by a tariff which would measure the difference between the cost of production here and abroad. The new American industry which gave promise under favorable conditions as to wages and cost of maintenance of supplying some need of our people, and thus becoming an important factor in our economic life, was to receive such protection in the way of tariff duties as its development required. The importance and the value of a diversity of industries for the country as a whole or for any State of the Union was to be recognized, for it was assumed that this diversity lay at the very foundation of our national progress and that in the opportunities thereby given to individuals to pursue the vocations best suited to their skill, taste, or ambition

was to be found not only that which educates, but which gives to society itself its greatest interest and charm.

But the principle of protection, which we contend has been promotive of these beneficent ends, is now at stake. The semblances of it which are still retained in this bill when considered in connection with the purposes of the Democratic Party, expressed or implied, serve but to emphasize the one purpose to speedily abandon the protective principle and thenceforth levy such duties as are imposed on the basis of a tariff for revenue only. In view of our conditions yet, in view of what we may accomplish for certain industries and certain sections, and thus, as I believe, accomplish for the general welfare by a wise application of the principle of protection, and in view of what is threatened, this is a momentous question.

Is the country ready for an abandonment of the principle? Has the country demanded it? Does the Democratic Party quite dare undertake the responsibility of it?

The evidence, however, that this is the situation is cumulative. It is found, first, in the time-honored declaration of the Democratic platform that a tariff other than for revenue is unconstitutional, and that the collection of taxes shall be limited to the necessities of government. The party has been compelled from time to time by new conditions, by the logic of events, to abandon the principle of strict construction as applied to much of the legislation and many of the necessary activities of government during the last 50 years. But to that one dogma, ignored at the beginning of the Government and often repudiated by the people since, the party still adheres. Note the contrast! The Republican Party, in 1860, in the convention which nominated Abraham Lincoln, declared—

That while providing revenue for the support of the General Government by duties upon imports sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country, and we commend that policy of national exchanges which secures to the workmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence.

And to these principles there enunciated the Republican Party still adheres; not only that, but with the election of 1912 as the test, it would appear that these are the principles to which nearly 8,000,000 out of some less than 14,000,000 voters in the United States now adhere.

And yet, strange and absurd even as it is, the claim is persistently made, and echoes of it are heard in this Chamber, that the people have spoken and by their sovereign voice have commissioned the Democratic Members of the Senate and House to carry out the declarations of your platform in regard to tariff reform and future tariff policies. It simply forms another, a second, part in the chain of evidence which proves the purpose to overthrow the principle of protection and hazard all its benefits and the future material development which, we are confident, it would insure.

In a free government all law should embody the will of the people. How vain the boast that by this proposed legislation you reflect the will of the people. How easy of demonstration that by it you do violence to that will. By actual count 6,303,063 voters voted for the Democratic electors. By actual count 7,608,093 voters voted for presidential electors running on platforms both of which declared for the policy of protection. A majority of 1,305,030 in a total vote of 13,911,156 is a decisive majority.

Aside from the plurality rule and the electoral system which puts in power an administration having a decided minority of the popular vote, and of which rule and system we do not complain, we are face to face with the situation as to whether on a question of universal interest, and affecting the general welfare as no other does, the will of the minority is sufficient mandate to reverse the policies of 50 years and to which the people by their last expression gave unequivocal approval.

The thought appeals to me, and there is some inspiration in it, that we are in the daily business of enacting laws, not for North Carolina nor for South Dakota, but for the Nation, and there should be some care, it seems to me, to ascertain the Nation's will, that we may reflect it in what we do here. To my mind this is the way in which the Nation's interests will best be conserved.

It is interesting as a study in politics to know what forces dominate in any given political crisis and the influence of historical associations or tradition even, or of soil and climate even, in the formation of political doctrines of the tenacity with which they adhere. I am here induced to make a brief analysis which I think will show the power behind the throne, the slender right in the way of production and resources on which the power is founded, and with what unfairness and injustice to many millions of our fellow citizens it is about to be wielded.

In doing this, permit me to say that no one more than myself regrets a reference to the dominating power of a section of this great country over all the rest; no one more than myself would regret to say or do aught in revival of a spirit of sectionalism or to suggest that there were industrial or political differences between us that can not be reconciled or barriers that can not be overcome. I can not believe there are, for though a stranger to it, I love your Southland through knowledge of some of her people, and I count it high honor to have greeting acquaintance with the men in this Chamber who so fully exemplify and so ably represent the courtesy, the chivalry, the intelligence, and the patriotism of the South.

But the fact remains that through your representation at the other end of the Capitol and on this floor your 20,000,000—and I am not counting your colored vote any more than you do, and I voice no prejudice against a white man's government "down there," only I would not, for economic reasons, have you "cover too much territory"—your 20,000,000 are rulers over 90,000,000. With your 57,000,000 bushels of wheat, you, in effect, determine that the producers of 630,000,000 bushels shall come into direct competition with the surplus wheat of the world under whatsoever conditions as to labor, cultivation, or soil that surplus is produced. With your 60,000,000 bushels of oats in 15 Southern States, you control in the determination that the producers of 947,000,000 bushels shall be protected by a tariff of only 6 cents per bushel. With your 710,000 bushels of barley raised in the 15 Southern States in 1909, you say that the growers of 172,633,000 bushels of barley shall compete with the many million bushels which will be imported under the rate provided in this bill, a reduction of 50 per cent from the rate of 1909. Nobody will be more highly pleased over this item than the American Brewers' Association, though it will be at the cost of many million dollars to the farmers of the Northwest alone.

I here refer to a table I have compiled from the census reports of 1910, showing the production of these crops in the several States of the South in 1909 and the total production in the other States of the Union, and ask that the same be printed in connection with my remarks.

The PRESIDING OFFICER (Mr. OWEN in the chair). Without objection, permission will be granted.

The matter referred to is as follows:

Farm statistics.

[1910 census reports.]

State.	Wheat.	Oats.	Barley.	Flax.
	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>
Alabama.....	113,953	3,251,146	372	.....
Arkansas.....	526,414	3,212,891	1,267	.....
Florida.....	137	606,380	10	.....
Georgia.....	752,858	6,199,243	655	.....
Kentucky.....	8,739,260	2,406,064	65,596	.....
Louisiana.....	488	420,033	.....	2,215
Maryland.....	9,463,457	1,160,663	135,454	.....
Mississippi.....	4,670	1,268,785	753	.....
North Carolina.....	3,827,145	2,782,508	7,535	.....
South Carolina.....	310,614	5,745,291	3,483	.....
Oklahoma.....	14,008,334	16,606,154	127,641	9,093
Tennessee.....	6,516,539	4,720,692	53,201	.....
Texas.....	2,560,891	7,034,617	52,438	.....
Virginia.....	8,076,989	2,884,495	253,649	.....
West Virginia.....	2,575,996	1,728,806	8,407	.....
Total in South.....	57,477,735	60,027,768	710,461	11,308
Total in North.....	625,901,524	947,115,212	172,633,751	19,501,457
Total in United States..	683,379,269	1,007,142,980	173,344,212	19,512,765

Mr. STERLING. This table shows also the flaxseed yield in the United States for that year. From the table it will appear that Louisiana and Oklahoma are the only Southern States which in 1909 produced any flax at all—a magnificent total for the South of 11,308 bushels—but you have it in your power, and you have exercised the power, to make a reduction of 40 per cent in the none too high duty under the law from 1897 down to the present time.

Mr. LANE. Mr. President, will the Senator pardon an interruption?

Mr. STERLING. Certainly.

Mr. LANE. Is it not a fact that the brewers are using less and less barley all the time and are substituting rice for it? Is not rice in large part taking the place of barley in the manufacture of beer?

Mr. STERLING. If it is a fact, this is the first intimation I have had of it. I can say now that I never have had the slightest intimation to that effect.

Mr. LANE. The Senator did not know that the brewers are using rice largely in the production of beer at this time?

Mr. STERLING. No.

Mr. LANE. A few years ago they used none, but now they are using it by the thousands of bushels.

Mr. STERLING. No; I confess I did not know that.

Mr. LANE. It is true, nevertheless.

Mr. STERLING. But I was speaking of flax; the law is a protection to the producers of 19,512,765 bushels of flax. With the tariff at 25 cents per bushel under the present law, there was imported into the United States in 1911 about ten and a half million bushels, with a value of \$21,379,000, of which amount over 5,000,000 bushels of poorer and cheaper flax came from Argentina, and I think about 2,500,000 bushels came that year from our neighbor on the north, Canada.

I think, with the duty reduced from 25 to 15 cents per bushel, the committee's estimate of the importations to follow is altogether too low.

And so with the other farm products. The producers of 38,000,000 bushels of potatoes, 395,000,000 pounds of butter, 426,000,000 dozen eggs in the entire 15 States of the South determine, through their Representatives, that the producers of 350,000,000 bushels of potatoes shall sell their surplus in free competition with the rest of the world; that the producers of 1,225,000,000 pounds of butter shall have as their protection the unreasonably low rate of 2½ cents per pound, which would easily mean a loss of \$15,000,000 to the producers of the American product; that free competition with Canada shall be the lot of the producers of 1,165,046,485 dozen of eggs is all settled by the votes of the States producing a little more than one-third that number.

Cattle, sheep, swine, and meats are all on the free list at the behest of the men who represent those who produce a number and quantity of each vastly less than the rest of the Union. Of cattle and swine, considerably less than half as many, while of sheep there is produced in the South less than one-sixth as many as in the sheep and wool producing States of the North. And so it is throughout the whole list of agricultural farm products, upon the success in producing which the success of about every other American enterprise ultimately depends.

I appreciate the high, almost ethical, grounds upon which you claim to base the right to make these sweeping reductions, although in the light of history and of facts we are tempted to question the entire sincerity of that claim and wonder, after all, if your action is not grounded on those ancient cornerstones of your tariff-for-revenue-only fabric, tradition, and strict construction. The alleged ground is reduction in the high cost of living. It must be admitted that the practice has not always been in accordance with the precept in fixing the rates provided for in this bill. There are a few products of southern industries worth while and which escape the free list—one is rice, a delicious, nutritious, and reasonably cheap food. It is to be hoped the industry will be kept alive and encouragement given to this diversity of your farming interests by your proposed tariff of 1 cent a pound on cleaned rice, with a tariff of one-fourth of a cent a pound on rice flour. Both justifiable, perhaps, for revenue purposes; but the incidental protection was not lost sight of, and I here hazard the statement that but for the protection the industry could not live. But let me ask our Democratic friends, Why imperil the industry? True, you put wheat on the free list and made ruinous reductions in the tariff on other cereals in the North. But we are not asking that on that account you carry out to your own everlasting detriment any make-believe policy of consistency between North and South in the adjustment of the agricultural schedule. Why not have the courage of your commercial and industrial convictions and protect certainly and amply an industry which in 1908 represented an investment of \$200,000,000, and which in five typical rice-growing parishes in Louisiana in the period from 1880 to 1908 enhanced or added to the value of assessable property more than \$56,000,000. To say that you are commercially in favor of a policy which fostered such development but are politically opposed to it is an abject admission. Moreover, it involves, in the last analysis, a political economic untruth. In the clash between business and commerce and a political tenet the tenet may, under peculiar conditions, persist for a long time, but trade will triumph in the end.

But it is the high cost of living! How much do you reduce it while taking this long shot at the rice industry? Let us see. One cent a pound on cleaned rice. From a pound of rice a dish may be made from which a company of 15 may be served; that is one-fifteenth of a cent per man. So your duty of 1 cent, granting that the full amount is added to the cost to the consumer, would make his rice cost him, if he ate it once a day for 360 days in the year, a total of 24 cents. He must be not only poor but most narrow and unappreciative who would complain of such an expenditure, and if there be such a class in the

United States, the duty on rice ought to be retained at the existing rate for—educative purposes.

It is to be observed in the matter of rice that the Democratic Party betrays some interest in manufactures as against the agricultural interests—another evidence of the statement I have frequently heard on this floor—by retaining the duty on rice flour at one-fourth of a cent a pound as it is under the Payne-Aldrich law and as it has been from the time of the enactment of the Wilson law.

But it is a home industry. Our southern friends are not insensible of what manufactures mean to the South when they are in the South. They delight in the furnace fires, in the hum of the machinery, in the employment of the labor, in the enhancement of property values, and in the additions to the assessor's roll consequent upon all these things, and so they retain the old duty on rice flour instead of cutting it to one-eighth of a cent per pound, as should have been done to have had the proper adjustment between the producer of the raw material and the producer of the finished product.

But speaking of small fractions in this schedule of southern products, nothing, it seems to me, so illustrates the intense desire to appear to be consistent as the cut of one-eighth of 1 cent per pound on unshelled peanuts—a reduction from one-half to three-eighths of a cent—it looks like peanut politics; but it will be a great relief to the ultimate consumer of a pound of peanuts. There is a county down in North Carolina, the name of which has been known in every household in the North for many years. It would be pertinent to ask the senior Senator from that State if in saving the ultimate consumer of a pound of peanuts one-eighth of 1 cent he does it all for "Buncombe."

Is it not a fact that the duty should have been increased instead of lowered? Is it not a fact that they can produce peanuts cheaper in Japan than we can in this country, and would not you by encouraging the industry bring into use and make valuable thousands of acres of otherwise almost valueless and unused lands, furnish profitable employment to a lot of people out of a job, and greatly add to your material well-being?

And is there not a fear that by this reduction, picayunish as it is, you are endangering a useful and important industry?

But although we think you do "protest too much," we take you at your word. You say it is to bring down the high cost of living and arguendo the duties under existing law are the cause of the high cost of living. The proposition is not demonstrable. The Senator from Massachusetts in his admirable speech the other day pointed out some of the causes of the high cost of living. They are very well summed up in the cost of the higher living to which taste, convenience, the improvements and comforts of the age, and sometimes, perhaps, the love of display are all the time inviting us. Hardly a Senator on this floor but who is old enough to tell the whole story of this wonderful march—I will not say it is all progress—from a simple, comparatively inexpensive mode of living to the wonderfully complex and costly mode of to-day.

Mr. President, I find no fault with the sentiment. It is but natural. Discontent with present conditions lies at the foundation of the progress of the race, and men aspire to reach a social plane, a material plane, and a standard of living as high as that enjoyed by their fellows; and from this spirit rather than from any "suffering poor" comes the great volume of just complaint against the high cost of living.

The condition itself is world-wide. While it is in part to be attributed to the greater complexity and extravagance I have described, a cause we may call legitimate, and in part to increased cost of distribution for which the producer nor the tariff are responsible, there have been, I grant you, some business iniquities in the United States but for which the cost of living as it pertains to some articles of consumption would have been less. I can not, however, subscribe to the doctrine that "the tariff is the mother of the trusts." It is not. Proof that it is not lies in the fact that trusts exist in every civilized country. But under our system a high tariff has been now and then an accessory of the trust. When the trust has become a monopoly and shuts out domestic competition and is protected by the tariff from foreign competition, and is thus enabled to put on the arbitrary price to the consumer, the price that will yield more than a reasonable profit, we have a real evil. Especially is this so when the product of the trust is one of the comforts or necessities of life, and the evil is aggravated and more aggravating when the price is made to create handsome dividends on millions of stocks that cost their holders nothing. And so let the tariff on trust-manufactured goods, and I will say, too, on the products of any great industry whose efficiency and facilities under protection shall now have materially lessened the cost of production, be carefully scrutinized with a view to just revision

in the public interest. But let us not be deluded with the idea that the high cost of living is in any generally appreciable degree due to the protective tariff. People have been made righteously indignant by the disclosures of the Interstate Commerce Commission in regard to the investments and profits of the express companies, by the disclosures of the Stanley investigating committee in regard to United States Steel, by the enormities practiced by the Standard Oil and the Tobacco Trusts and the Lumber Trust in driving competition from the field, and here and there, in spots, North as well as South, East as well as West, some, unfortunately for many legitimate interests, went "trust mad" to the extent they failed to discriminate; politics, often of the "peanut" variety, and not confined to the South, either, played its rôle, and a good many people were led to the absurd conclusion that to put wheat and cattle and eggs and potatoes on the free list was the way to "bust a trust."

That there is much needless and misleading furor in regard to the relation between the tariff and the cost of living is shown by exhaustive investigations recently made. We know that a British board of trade would not report conditions in America better than in England and Wales unless fully warranted by the facts. I have here a summary of the reports of the British Board of Trade on cost of living in the principal industrial towns of England and Wales, Germany, France, Belgium, and the United States. It contains a table showing the ratio of weekly wage paid in these several countries, taking that in England and Wales as 100. Here are the building trades—bricklayers, stone masons, carpenters, plasterers, plumbers, painters, laborers, and hod carriers; and here are the engineering trades—the fitters, turners, smiths, pattern makers, and laborers. I will not take the time of the Senate to read, but the report shows that taking the arithmetical mean of the ratios for all occupations, the weekly rate of wages in the United States was two and one-third times the wages in England and Wales, two and five-sixths times the wages in Germany, three and one-eighth times the wages in France, and three and three-fourths times the wages in Belgium.

Foods and rents are somewhat higher here than in England and Wales, but in concluding its report the board makes this significant statement:

It is evident, then, that even when allowance has been made for the increased expenditure on food and rent a much greater margin is available in the United States than in England and Wales.

The margin (over expenditure for rent and food) is clearly large, making possible a command of the necessities and conveniences and minor luxuries of life that is both nominally and really greater than that enjoyed by the corresponding class in this country, although the effective margin is itself, in practice, curtailed by a scale of expenditure to some extent necessarily and to some extent voluntarily adopted in accordance with a different and a higher standard of material comfort.

Besides, it may be added, is the advantage of the shorter hours also shown by this report to the American workman.

But there is a relation between the tariff and the cost of living. The tariff has unquestionably enabled the industry to pay that higher wage which in turn enabled the worker to better maintain, support, and educate himself and family despite the higher cost of living.

And now, Mr. President, permit me to turn for a moment to an important American industry I had hoped to soon see established in my own State. It would give us a much-needed diversity with our small grain crops. I refer to the beet-sugar industry. Through a series of careful experiments made in various parts of the State, it is shown that the conditions as to soil, climate, and the per cent of sugar contained in the beets are not excelled by those of any other State. But one condition is lacking, and for want of that condition and from the attitude of this administration in regard to permitting the condition to be supplied, I fear our hope is to be long deferred.

When I say the attitude of the administration I think it is understood that but for the position taken by the Executive no free-sugar bill or bill putting sugar on the free list would pass the Senate at this session. I believe it to be the sober judgment of impartial men familiar with the subject, and now, too, the sober judgment of a majority of the Members here, that the duty on sugar should not be reduced below the present moderate rate. That here is a great, important, comparatively new American industry, the encouragement of which will result in time in the production from all domestic sources of all the sugar we consume and our complete independence of foreign nations for this one staple of universal necessity and use; that meanwhile, by the maintenance of the duty, the cost to the consumer will not be increased to any appreciable degree, and that he will continue to get his sugar cheaper than in the great majority of European

countries; that the indirect results of sugar-beet farming will be even more significant, farther reaching, and more beneficial to the American people than the direct results—in the conservation and renewal of the soil and the larger crops of wheat, oats, and barley resulting from a rotation with sugar beets.

Concerning this as the situation and these the benefits, there hardly seems to be dispute, and yet these facts, this sound judgment, this consensus of opinion, this industry of such promise, must yield, not to a statesmanlike policy, far-reaching and beneficent, but to "policy."

Mr. President, I spoke of the interest of my own State in this industry and of the experiments there made. In this connection I send to the desk a letter received last April from Prof. James H. Shepard, head of the department of chemistry at our State college of agriculture and mechanic arts and experiment station, on this subject and ask that the same be read by the Secretary in this connection.

The VICE PRESIDENT. Is there objection. The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

SOUTH DAKOTA AGRICULTURAL EXPERIMENT STATION,
Brookings, April 29, 1913.

Hon. THOMAS STERLING,
United States Senate, Washington, D. C.

MY DEAR SENATOR STERLING: I am glad, indeed, to send you some information concerning sugar beets in this State. I have a bulletin on the subject in the hands of the printers, and it has been there since the holidays. It will probably be out next month. Thinking perhaps that it would be too late, I inclose the manuscript from which the bulletin was set. This does not make a very convenient form for you to consult, but it is better than nothing.

As you will learn, we have done much work. I am now breeding seed, and I am informed that our results last year sets a world's record for yield and sugar production. There is no doubt that our State is well adapted to the culture of the sugar beet, and it is, as you suggest, not only one of the best money crops, but it is also one of the least exhausting crops our farmers can grow, and they will grow the beets if we have the factories. I would invite your attention to the table and its discussion near the close of the manuscript.

Again, sugar beets will add immensely to the yield of our regular grain crops, owing to their beneficial effect on the soil itself. They are subsoilers and open up the soil for the penetration of water. They are a cultivated crop and so will clean the ground from weeds. If the tops and pulp are returned to the soil, little exhaustion takes place, since sugar comes wholly from the air.

Our State must soon find some way to curtail the outflow of farm fertility that has steadily sapped at our great resources since the State was settled. Sugar beets will do just that thing. Then, again, their growing will enhance our stock production, and we need more live stock. It will divide up our farms and make more homes and increase our population, things devoutly to be desired.

In view of the facts that all our splendid results have been reached without irrigation and without fertilizing our sugar beets, factories are sure to come unless unfavorable tariff legislation kills all our sugar industries. No one wants that, for to the intelligent mind that means high-priced sugar. The cost of living is too high already.

In view of what we all think, you will be perfectly sustained in any efforts you may make to protect the sugar-beet industry. Our State needs it.

With the kindest regards,

JAS. H. SHEPARD.

P. S.—I could send no cuts, as they are with the printers.

Mr. STERLING. Mr. President, in transmitting the bulletin referred to in that letter Prof. Shepard wrote me again in part as follows:

If you would care for other copies please write me. I am anxiously watching the sugar-tariff proceedings. We were scheduled to have two or more factories in our State next year. I honestly believe that no State can raise better sugar beets, and I know that the advent of sugar-beet culture means the greatest prosperity to our State.

The letter refers to a table printed in the bulletin. The table is a short one, and I ask consent that it be printed in connection with my remarks, together with the page and a half of the bulletin following the table, the same being comment on the matter contained in the table.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

Tests of sugar beets.

VARIETY TESTS OF SUGAR BEETS FOR 1911.

Variety number.	Number rows analyzed.	Number beets analyzed.	Weight beets analyzed—pounds.	Degree brix.	Per cent sugar in juice.	Purity.	Per cent sugar in beet.	Pounds beets per acre.	Pounds sugar per acre.
35	5	248	267	19.6	17.1	88	16.3	31,015	4,550
40	7	308	354	19.6	17.0	87	16.2	26,515	3,865
42	6	288	297	19.8	17.6	89	16.7	32,016	4,812
43	6	326	307	20.4	17.9	89	17.0	32,894	5,031
44	6	317	303	20.3	17.9	88	17.0	32,665	4,797

Tests of sugar beets—Continued.

VARIETY TESTS FOR 1912.

Variety number.	Number rows analyzed.	Number beets analyzed.	Weight beets analyzed—pounds.	Degree brix.	Per cent sugar in juice.	Purity.	Per cent sugar in beet.	Pounds beets per acre.	Pounds sugar per acre.
35	18	142	115	24.0	21.0	88	20.0	46,379	8,532
42	18	158	112	24.4	22.0	90	20.9	45,173	8,497
43	18	146	118	24.5	22.0	88	20.9	47,593	8,952
44	18	138	101	25.4	22.6	89	21.5	40,737	7,782
188	18	120	106	25.6	23.2	91	22.0	42,753	8,653
218	18	132	105	24.6	22.0	89	20.9	42,753	8,025
SD1	18	143	111	24.2	21.4	88	20.3	44,766	8,268

SPACING TESTS FOR 1912.

40	18	138	96	25.2	22.4	89	21.3	38,962	7,469
40	22	143	147	21.0	18.0	86	17.1	48,519	7,605
40	26	123	142	22.2	20.0	90	19.0	39,700	7,011
40	30	122	169	21.0	18.8	90	17.9	40,898	6,762

To the casual reader, perhaps, the figures in the table do not have much significance. But let us see. There is no ordinary crop raised on the farm that gives any such tonnage as sugar beets. Even corn cut green for silage does not amount to any such figure as 24 tons per acre.

Again, no ordinary crop grown on the farm has any such cash value as sugar beets. Factories buy sugar beets according to their sugar content. The lowest price paid is \$5 per ton. Beets like those grown at this station would certainly bring a much higher rate—perhaps \$7 or \$8 per ton. A few figures will show that our land can be made to bring an income of from \$100 to \$125 per acre under careful culture in sugar beets.

Then look again at the sugar-per-acre column. Take variety No. 42 as an average. It gave, in round numbers, 8,500 pounds of sugar per acre. To grow as many pounds of wheat per acre it would require 140 bushels. To grow the same number of pounds of oats per acre would make it necessary to grow 260 bushels per acre. The utter hopelessness of any such undertaking is so striking that it needs no comment. In fact, it would require 10 acres in either oats or wheat to yield as much grain, pound for pound, as the sugar yield. Then, again, let us take the cash value of the recoverable sugar per acre, neglecting the by-products of manufacture—pulp, alcohol, etc. Sugar at wholesale is now \$5.40 per hundred. Consequently the manufactured products from the sugar grown on 1 acre would be around \$400. To raise that value in wheat, even at \$1 per bushel, would require 400 bushels, and to grow that much at the average yield of 15 bushels per acre would require 26 acres of land; while to grow the same value in oats, at 25 cents per bushel, would take, at 30 bushels per acre, 52 acres of land. Moreover, sugar comes from the air. It does not deplete the soil as grain raising does.

We have now given a review of the work done with sugar beets in this State during the many years of its continuation. We have followed the beets through good years and through bad years. We have had droughts and other untoward features to contend with the same as other States. There is no paradise on earth. But through all these conditions we have no failures to record. The sugar beet furnishes one of our most reliable crops. In order that the reader may know how the sugar beet yields in other States, the averages for the United States are taken from the 1911 Yearbook of the Department of Agriculture. The average tons per acre is 10.82, and the average sugar in the beet is 15.81 per cent. Our rejects from the mother-beet analyses will give higher per cent than the average of all the commercial beets grown in the country. California has the highest per cent sugar in the beet of any State where they are grown commercially—18.54 per cent—while her tonnage is 10.72. The reader can make his own comparisons with South Dakota.

In conclusion, the work will be carried on at this station in order to learn the best conditions for growing both the beets themselves and for growing the seed.

It is evident that both industries, under proper management, will prove most profitable. We now have on hand a limited amount of home-grown seed. But it will be useless for individuals to ask for samples. In the light of our past experience it is evident that this would bring us nowhere. In certain communities where organized bodies are striving for factories would be a better place to send this high-grade seed. What we need now is concentrated, intelligent effort.

Mr. STERLING. And there, Mr. President, in these letters and in this bulletin of Prof. Shepard, is testimony of the highest character to the value this one industry would be to my State. He is not an investor nor speculator, but an absolutely self-disinterested witness, whose work at the agricultural college for more than 25 years and his experiments have fitted him to know whereof he speaks.

Mr. President, I have not been solicitous about talking here for the purpose of "preserving the record." I am impressed with the facts, with what I believe to be the sentiment of the people, and a sound national policy. I have said that I am willing to support any bill, whatever its source, which I believe to be for the public welfare; that I would not either support or oppose a measure on the ground of party advantage.

But I can not support this bill.

It occurs to me that here is yet a grand opportunity for a revision of the tariff, and yet a substantial recognition of the rights of these most vital and substantial agricultural interests, with which the bill so harshly deals.

We admit that any compromise must recognize the principle of protection; but it is an American principle, one responsible in

large measure for our splendid industrial development, a principle in which it is evident the American people believe. Grant that they have been educated to it, and that in theory you are economically right; you can not reverse existing sentiment in a day. The injury to follow the enactment of this drastic agricultural schedule will simply create the discontent that will indefinitely postpone the day you must reach before a tariff-for-revenue-only policy can be a settled fact in America. And that day will be only when you have behind it that invincible force upon which all policies, all laws, must ultimately rest—the force of public opinion.

Then why not concede something here in the way of preparation, in the way of education, for the conditions you would realize? Why not do this in the interest of permanency and stability for your system in the end and for the peace of the country, if it is right? Would such a course be unstatesmanlike?

Granting that we have the ultras on both sides of this proposition, as we are apt to have on any proposition, is it beneath the business of statesmanship to consider what is expedient or to find the golden mean, the common ground on which the great majority of the common people might stand?

I know any suggestion of mine, coming from this side of the Chamber, will be of no avail; but let me be a little more specific in just briefly inviting attention to a few items here of the agricultural schedule.

Cattle less than 1 year old under present law are \$2 per head; you make them free of duty. I am not advised, but my impression is, though I do not speak authoritatively, that in the Northwest there will be little objection to this item. But let them come in free!

The rate on all other cattle is 27.5 per cent. Under the proposed bill they are free. Make it 15 per cent.

Swine under the present rate are admitted at \$1.50 per head. Under the bill they are free. Make the rate \$1.

Sheep 1 year old or over under the present law are \$1.50 per head. You make them free. We will divide it with you, which is not far from the rate of 10 per cent provided for by the House bill. And the same with sheep less than 1 year old.

Mr. WALSH. Mr. President—

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Montana?

Mr. STERLING. Certainly.

Mr. WALSH. May I ask the Senator why he believes that a duty ought to be imposed on the importation of sheep?

Mr. STERLING. I think it should be done for the protection of the industry in this country.

Mr. WALSH. In what part of the country would the sheep growers be protected by a duty prohibiting the importation of sheep?

Mr. SUTHERLAND. Mr. President, we can not hear over here what either Senator is saying.

Mr. STERLING. I think really for the interest of the wool-growers there should be this protection.

Mr. BRISTOW. Mr. President, I regret that I did not hear the question and I can not hear the answer. I wish the Senators would speak so that we can hear them.

Mr. STERLING. I will say to the Senator from Montana I do not pretend to speak with authority on this proposition, but it is my idea that it will be in the interest of the wool-growers themselves that this tariff shall be imposed upon the importation of sheep, and for the reason that sheep are imported with the wool on, and thus they would come in conflict with the wool produced here. It was as a compromise rate that I made the suggestion.

Mr. WALSH. I was following with great interest the thoughtful discussion of the subject by the Senator from South Dakota and I assumed that, as a matter of course, he had given careful consideration to each of the changes suggested by him. It puzzled me to understand quite how anyone could care to have a duty imposed upon the importation of sheep in this country.

Mr. STERLING. I will say that my suggestion simply is that, considering the previous duty and considering the proposition to put sheep on the free list now, this would be a compromise duty.

Mr. WALSH. As a sort of compromise apparently?

Mr. STERLING. Yes, sir.

Butter under the present law is 6 cents per pound. Under the bill 2½ cents. Make it 4. Cheese under the present law is 6 cents per pound. Your bill makes it 2½ cents. Make it 4, which is only slightly in excess of the rate named in the House bill. Cream, now 5 cents a gallon, you admit free. It ought to be at least 3 cents a gallon. Eggs, now admitted at 5 cents a dozen, you make free. Give us 3 cents.

Potatoes, which under present law are admitted at 25 cents per bushel, the bill makes free. We will divide it with you.

Wheat, 25 cents a bushel under present law, you admit free of duty. From 25 to 12½ cents is too great a cut at once. Make it 15. And let there be a compensatory duty of 12½ to 15 per cent ad valorem on wheat flour.

The cut of 15 cents per bushel on barley is not warranted on the ground of cheaper food supply. Rather let it be 20 cents per bushel.

Mr. WALSH. I should like to ask the Senator a question in that connection.

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Montana?

Mr. STERLING. Certainly.

Mr. WALSH. The Senator, I suppose, subscribes to the doctrine that the duty should be such as to compensate for the difference in production here and abroad, not of course to recompense for the difference in the cost of labor but in the cost of production. That is correct, is it not?

Mr. STERLING. Yes; as a general proposition.

Mr. WALSH. Can the Senator now advise us as to what is the difference in the cost of production in the case of barley in this country and the cost in the country which is our chief competitor?

Mr. STERLING. I will say to the Senator that under the present rate it is understood there are great importations of barley, and I think the home producer of barley should be protected. Without going into details as to the cost of production here and in Canada, or elsewhere from which barley is shipped, I thought of this as of other items of this suggested schedule of mine, that it would be a compromise.

Mr. WALSH. I was interested to obtain the basis upon which the calculation of the Senator was made. I assumed the Senator would regard Mr. A. E. Chamberlain, formerly of the agricultural department of his State, good authority on that subject.

Mr. STERLING. I do not know him.

Mr. WALSH. He was long associated with the agricultural college at Brookings.

Mr. STERLING. I do not have the honor of his acquaintance.

Mr. WALSH. He represented your State at the head of a delegation that came here before Congress two years ago in connection with the reciprocity measure.

Mr. STERLING. Yes; he may have done so; I was not aware of that.

Mr. WALSH. And in that connection he told the Finance Committee that the difference in the cost of production of barley here and in Canada was 5 cents a bushel. So, apparently, the duty is now fixed at three times the difference between the cost of production here and in Canada. Would the Senator like to make it five times?

Mr. STERLING. I would make, or rather suggest, it as a reasonable difference between the duty as it stands under the law of 1909 and the proposed bill.

You have cut the duty on oats from 15 cents to 6 cents per bushel. Why not try it at 10, as provided by the House bill? And flaxseed at 20 cents a bushel, as allowed by the House bill, instead of making a cut from 25 to 15 cents?

I simply suggest these as changes which might serve to prevent the law from being utterly obnoxious to the great body of producers of these the chief agricultural products of the land, fair prices for which mean the reasonable success and prosperity of that great class upon which all others must depend.

But I suppose, Mr. President, it is wholly immaterial whether my State, with its 77,000 square miles, with its soil and climate well adapted to agricultural purposes, has any beet-sugar factories or not; whether its grazing and live-stock interests are to be protected or not; whether it shall continue as one of the three greatest wheat-growing States in the world or not.

It is only a State affair. I was struck with the reply made by the Senator from Maine, then in charge of the bill, the other day when pressed for an answer to the question whether the reduction proposed by the bill on olive oil would injure that important California industry. After much colloquy he said he did not know whether it would or not.

Only a State affair! Mr. President, I know we had to surrender up the doctrine of State rights many years ago, along with other relics of strict construction. It had to give way to the principle of "an indestructible Union of indestructible States"; but I still supposed we might have State interest and State pride in the development of the State's resources.

Why, if there is one factor more than another in this dual system of government which has helped to make this the glorious Union it is, it is the healthy spirit of emulation among the States and the pride the worthy and wide-awake citizen of a State feels in the yield of her cotton, corn, and grain fields, her factories, her mines, her herds, her wool, her educational

institutions, her churches, the character of her manhood, and the virtue and loveliness of her womanhood. But it is only a State affair!

Mr. President, in the old days this may have been to some extent true. But those days are gone; there is no longer isolation nor is distance a barrier to intercourse or commerce.

In these days of rapid transit, quick communication, and ready diffusion of resources and products throughout the length and breadth of the land it is, on the instant, a national affair; and in the fruits of that legitimate enterprise which benefits or enriches a State the people of the Nation are participants.

For the best interests of the whole we want to subvert the interests and institutions of the several parts; and, in my judgment, any revenue or economic policy which ignores this principle is wrong.

We again stand on the plank of that pioneer platform of 1860, quoted at the beginning of these remarks. The soundness of the principles there enunciated has been demonstrated by long experience; the people believe in them, and as against the narrow, destructive, and un-American policies advocated by the party in power these principles will now be invoked with renewed enthusiasm and vigor. I venture the prediction that they will serve to both rally and reunite.

The VICE PRESIDENT. The Secretary will proceed with the reading of the bill.

Mr. STONE. Mr. President, when the Senate adjourned last night we were considering paragraph 77. The Senator from Kansas [Mr. BRISTOW] propounded an inquiry to which I suppose I should make some answer. The inquiry of the Senator, as it appears in the RECORD, is as follows:

Mr. BRISTOW. Mr. President, I should like to inquire of the Senator in charge of this part of the bill why he deems it necessary to maintain a duty of 50 per cent on pumice stone wholly or partly manufactured, while he reduces the duty on the unmanufactured stone from 21 per cent to 5 per cent?

Mr. President, I do not wish to take much time in giving the answer which I purpose to give, and I do not think it necessary to take much time in doing so, but it might be well to say that pumice stone is imported from Mexico, Iceland, and Hungary, but chiefly from the Lipari Islands, off Sicily. The importations come from those countries where the great bulk of the article is produced, but especially from the islands named, on the coast of Sicily. There is some pumice produced in the United States—in Kansas, Nebraska, Utah, and Nevada.

The unmanufactured pumice stone was admitted free under the Wilson law. A high duty was placed upon it by the Payne-Aldrich law. When it was free, under the Wilson law, the statistics show that \$59,894 in value was imported. Afterwards, when, under the Payne-Aldrich law, the present law, a high duty was imposed ranging from 18 to 21 per cent, according to the appraisement of the value of the imports upon which the duties were levied upon arrival at our ports, the importations were just about the same as under the Wilson law, when they were free.

Before the House Committee on Ways and Means there were hearings somewhat extended when this paragraph was under consideration during the present session or when the pending bill was being framed. A number of manufacturers appeared before that committee. They contended for free raw material and, of course, for a high duty on the manufactured product. As a rule, they insisted that the present duty should not be reduced. Here is a statement contained in one of the numerous briefs filed before the Ways and Means Committee by Charles B. Chrystal, of New York, who is, as I understand, a manufacturer concerned in the pumice industry. I read from it as follows:

From the fact that there is no pumice produced in the United States excepting a so-called pumice, used in cheap soaps, cleansers, etc., this duty is very excessive.

That is the duty on the unmanufactured product.

The American pumice, so called, can not be used for most purposes for which pumice is required, such as in the manufacture of silver-plated and solid silver ware, for rubbing down varnished surfaces, and for numerous purposes; in fact, the so-called American pumice is useless for any other purpose, as has been repeatedly demonstrated by practical tests.

Mr. President, the House committee refused to follow the insistence of the pumice manufacturers to put pumice on the free list, as it had been under the Wilson law, and instead put the rate on the raw material at 5 per cent ad valorem. The average ad valorem duty in the Payne-Aldrich law, as shown by the statistics I have, ranges from about 18 per cent to 21 per cent. The House reduced it to 5 per cent.

The Senator from Kansas asked why we maintained a duty of 50 per cent on manufactures of pumice. Words are presumably intended to convey ideas, and one might suppose from the

form in which the Senator propounded his question about maintaining the duty that he sought to impress the Senate and the country with the idea that we had not changed the duty as it is prescribed in the present law; but such is not the fact. The House reduced the duty on pumice manufactures 33 per cent; that is, from three-eighths of a cent a pound to one-fourth of a cent a pound. Not a living man came before the Senate committee to make any complaint or to protest against the action of the House. The House, having taken this action—and, as it seems to me, a very proper action—the Senate committee simply accepted what had been done by the House.

Mr. BRISTOW. Mr. President, nevertheless the fact remains that the committee has reduced the duty on unmanufactured pumice from approximately 21 per cent to 5 per cent. That is a reduction of about 75 per cent; while it has reduced the duty on the manufactured article from an estimated ad valorem of 80 to 50 per cent. I think that there is a reason why the manufacturers would not complain. They get a reduction on the raw material of 75 per cent. The raw material of pumice, which is produced in this country, is produced by whoever happens to have land upon which this pumice dust or pumice stone is found. It is not controlled by any combination or corporation of any kind.

Mr. STONE. But, Mr. President, I call the attention of the Senator again to the fact that, if the information we have is well founded, the lava production or pumice gathered in some spots in his State and in one or two other States is of a kind that really does not come into active competition with the pumice that is used in manufactures on a large scale.

Mr. BRISTOW. The Senator has been misled by the testimony of a single manufacturer, who uses the pumice in the polishing of silverware. If the Senator had consulted the packing houses at Kansas City, Chicago, Omaha, and South St. Joseph he would have learned that the pumice that is found in Nebraska, Kansas, California, Utah, Nevada, and a few other States is used in the making of scouring powder, such as "Gold Dust Twins" and kindred articles, and put upon the market in very large quantities. If these great packing houses can get a reduction of 75 per cent on their raw material, and still a duty of 50 per cent is maintained on the things which they sell, of course they will not complain. I can understand readily that the Committee on Finance would have no complaints from them.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from North Carolina?

Mr. BRISTOW. Very gladly.

Mr. SIMMONS. I merely want to suggest to the Senator that if he will examine the unit value of the imported pumice stone, which comes almost exclusively, I think, from Italy, and the unit value of the pumice stone produced in this country he will see that necessarily they are different articles. I call the Senator's attention to the first bracket in the handbook, which gives the unit value of the importations of pumice stone, and he will see that the unit value in 1910 was \$10.26 and in 1912, \$9.27 per ton. If he will examine the latter part of that bracket, which deals with the production in this country, he will see that the unit value of the character of pumice stone produced in this country, so-called pumice stone—it is an imitation, I think—in 1905 was only \$3.64, in 1910, \$2.21, and in 1912, \$4.08. I think the two materials are used for different purposes. The pumice stone imported from Italy is a lava and is used almost entirely for the polishing of woods and metals. The pumice stone we produce here, I think, is used very largely in connection with construction work and also in connection with the manufacture of soap.

I am not sure of my premise, and I assume the Senator from Kansas has some information more specific than mine; but I simply call his attention to what appears to me to be a clear demonstration that there is a great difference in the quality of the imported article and that of the homemade article, and that they are not used for the same purpose; but even if they were used for the same purpose, the difference in the value of the two articles would make it almost impossible for them to be competing products.

Mr. BRISTOW. The Senator from North Carolina is in the main, so far as my information goes, right as to the use of the various grades of this pumice dust or stone, but, while I infer that the increased duty which was imposed four years ago has resulted in the more valuable pumice stone being imported, it has also resulted in the development of the local supply, which has been used for various purposes, such as the making of soap, washing powders, and so forth.

Mr. SIMMONS. But—

Mr. BRISTOW. If the Senator will pardon me a moment, I am not complaining of the reduced duty from 21 per cent to 5 per cent on the raw material, although I think it is a very radical reduction, and if I had been revising the tariff I would not have made the radical reduction that was made, because I think it was too much; but still I am not complaining of that. What I am complaining of is that with this radical reduction there should be still maintained—and by "maintained" I will say that I mean fixed by the committee; I will use that term, if it pleases the Senator from Missouri [Mr. STONE] better—at 50 per cent. I think this an unwarranted discrimination in favor of the manufacturer when he has such a radical reduction on his raw material. I do not think that the great packing houses or the manufacturing concerns which use this material to make various articles of commerce should have as high as 50 per cent as a protective duty when the men who take the rock from the quarries or gather the dust from the prairies have their protection reduced 75 per cent, or down to 5 per cent from 21 per cent.

Mr. SIMMONS. Mr. President—

Mr. BRISTOW. I yield to the Senator.

Mr. SIMMONS. The Senator and myself look at the tariff question from different standpoints. I myself do not consider as the determining factor the cost of production of an article here and abroad. I understand, however, that the Senator from Kansas does, and that it is the theory of the Senator from Kansas that there ought to be maintained a duty equal to the difference in the cost of production here and abroad. I think I am correct about that. Now, the Senator is complaining of the duty which we have retained as being too high. I think if the Senator will consult the statements of the manufacturers before the Ways and Means Committee, if he wants to apply his theory to this case, he will find that according to his theory the duty is not too high. I call the Senator's attention to the testimony of Mr. Murphey, president of the James H. Rhodes Co., of Chicago, Ill., and of the city of New York. Here is what he says:

Reasons for duty of three-eighths of a cent on manufactured—

He is insisting, as the Senator will see if he will read his testimony, upon a higher duty. He insists that the proposed duty was not enough. He says:

Pumice stone manufactured in Italy is being sold in bags f. o. b. docks New York at \$18.50 per ton of 2,000 pounds (that is, after the United States duty has been paid). Thus, the United States custom records demonstrate that the Italians can grind, pack, and deliver at the dock at New York ground pumice stone at \$11 per ton.

The \$18 included the duty, which is something in the neighborhood of \$9.

In referring to the American cost of the production of powdered Italian pumice stone, he said:

American cost of production of powdered Italian pumice stone in 1908 was \$23 per ton, but since that time is higher because of the grinding rock costing more in Italy, ocean freight rate being 75 cents per ton higher, with a further advance scheduled for 1913, and the duty being over \$1 per ton more, so that our present cost of producing is over \$25.51 per ton.

The Senator will find also from the brief of R. J. Waddell & Co., of New York City, that they claim it cost them to produce this material in this country out of Italian pumice stone \$24.54, and they claim, therefore, that the present duty is not high enough. I think the facts altogether controvert their statement, because the statistics show that there are practically no importations, or very slight importations, of the manufactured pumice, and it can not be, if the foreigner could put this pumice down here f. o. b. New York for \$18 duty paid and it cost the American producer \$24 a ton to produce it, that the American producers could have sustained the competition. Under such conditions that would have happened which the Senator from Kansas and others have predicted. The foreigner would have taken possession of our market; but as the foreigner did not take possession of our market in this product it shows that the gentlemen who testified were mistaken. But they are authorities; they are the manufacturers; they are the people from whom our friends on the other side have generally obtained their information; and they came before the Committee on Ways and Means and claimed that, even with the present duty of three-eighths of a cent a pound, something in the neighborhood of \$8 a ton, they were not able to compete with the foreigner. We have reduced this duty from 30 per cent to 50 per cent, making that competition more difficult, if their contention is correct; and yet the Senator, who maintains the cost-of-production theory, insists that we have placed it too high.

I desire to ask the Senator if he has looked into that matter and if he has discovered the fact that, according to the claims of those who are producing the article, the present rate is not sufficient to measure the difference in the cost of production,

which he says is the formula which we ought to adopt in fixing rates?

Mr. BRISTOW. I will say to the Senator that I have made some inquiry into this matter, and so I asked the question as to what basis the committee followed in arriving at this conclusion. Now, do I understand the Senator to say that they have maintained a duty of 50 per cent on manufactures of pumice stone because the evidence before the committee showed that that duty was necessary to protect the American manufacturers from foreign competition?

Mr. SIMMONS. No; I said nothing of the sort. I was speaking about the Senator's contention. I will state to the Senator why we reduced it. We are trying to make a competitive tariff. We discovered that with the present rate there were practically no importations of this product into this country; and, carrying out our theory, we have reduced the duty in order that we may stimulate a competition or bring about competition where practically none exists now.

Mr. BRISTOW. Now, Mr. President, if the Senator will observe the Tariff Handbook he will find that there were imported in 1912 over 6,000,000 pounds. That is quite a substantial importation of this kind of an article, it seems to me.

Mr. SIMMONS. I admit there have been considerable importations of the crude materials; but I am talking about the manufactured product.

Mr. BRISTOW. Pumice stone wholly or partially manufactured, according to the notes, was imported to the amount of 6,289,480 pounds.

Mr. SIMMONS. Valued at how much? The total importations last year of pumice stone, wholly or partially manufactured, bearing this three-eighths of a cent a pound duty were valued at only \$29,000.

Mr. BRISTOW. But if the Senator will observe, in the column just above that, the amount is 6,289,480 pounds.

Mr. SIMMONS. Yes; 6,289,480 pounds, worth half a cent a pound.

Mr. BRISTOW. It does not seem to have been such a valuable material after all, does it?

Mr. SIMMONS. Not a very high-priced material; no—\$10 a ton.

Mr. SMOOT. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. In just a moment, if the Senator from Utah will excuse me. I understand the Senator now contends that this reduction was made because he believed the protective duty of three-eighths of a cent a pound was too high and that it ought to be reduced?

Mr. SIMMONS. Yes.

Mr. BRISTOW. Why did the Senator arrive at the conclusion that there should be a reduction of 75 per cent on the unmanufactured stone?

Mr. SIMMONS. Oh, Mr. President, of course you can not measure everything in golden scales. When you find a duty too high, when you find there is practically no competition and you want to bring about competition, you have to do the best you can to fix a duty which will bring it about. You may succeed or you may not succeed.

Mr. STONE. Mr. President, if the Senator will permit me, I think the answer to that question is found in what I stated some time ago. I will repeat it now, and this is all I have to say about it.

The product that is imported chiefly from Italy and from the other countries I named, particularly the Sicilian pumice stone, the raw material, is of a kind and quality which for the most part, if not the whole part, enters into manufactured articles that do not—except in a limited way, if at all—compete with the manufactured articles made out of the so-called pumice produced in Kansas, Nebraska, and Utah. Hence it seems to me that those who manufacture a different kind of pumice, for uses different from those of the articles made out of the domestic pumice, might have their raw material at a reasonably low tariff rate. Upon that theory, I assume, the House fixed this rate of 5 per cent as against the urgent call upon them by the manufacturers that the material be put upon the free list where it was under the Wilson law. Under the Wilson law as much foreign pumice was imported into this country as was imported in 1910 and 1912 under the high rates of the Payne-Aldrich law.

Mr. BRISTOW. At that time there was practically no production at all in the United States.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I yield to the Senator from Utah.

Mr. SMOOT. I understood the Senator from North Carolina to say that when the committee found a rate that was exceedingly high, with no importations, their thought was to reduce it so that it would become a competitive rate. Did I correctly understand the Senator?

Mr. SIMMONS. That is the theory upon which the bill was constructed.

Mr. SMOOT. Was that the reason of the reduction in this particular item?

Mr. SIMMONS. The House made the reduction. I assume they were following out the principle of fixing a rate that would bring about reasonable competition. They may not have made it low enough for that purpose. I do not know about that. I can not tell. That is a matter in the future. Nobody can tell.

Mr. SMOOT. Does the Senator, then, agree with the statement made by the Senator from Missouri [Mr. STONE] that the pumice stone mined and produced in this country is not used in the manufactured articles of pumice stone?

Mr. SIMMONS. I think there must be a very great difference between the pumice stone manufactured in this country and the pumice stone manufactured from Italian lava. I think there must be, and I gave the Senator my reasons for it.

Mr. SMOOT. I listened to the reasons, and now I want to put those reasons alongside the statement I made that the rate was a competitive one.

Mr. SIMMONS. The Senator is altogether off. The competitive rate I am seeking to bring about is in regard to the Italian product—the imported product.

Mr. SMOOT. Why, Mr. President, that is just the point I am making. If the product of pumice in the United States can not be made into the manufactured article, then, of course, there is no competition in the manufactured article, and it would make no difference, in so far as a competitive rate was concerned, whether it was 5 per cent or 50 per cent.

Mr. SIMMONS. In making that argument the Senator leaves out of consideration altogether the fact that while this high-priced lava is produced only in Italy it is manufactured in this country to a very large extent, as well as in Italy. Large quantities of the crude material are brought in by the manufacturers of this country, and they manufacture it here. What we are seeking to do is to bring about competition between the Italian manufacturers of this pumice stone and the American manufacturers of the same character of pumice stone.

Mr. SMOOT. The argument of the Senator was that it had been reduced to 5 per cent.

Mr. SIMMONS. We were not talking about the 5 per cent proposition at all. We were talking about the 50 per cent proposition. We had left the question of the raw material. The duty on that is reduced to 5 per cent. What the Senator from Kansas and myself were talking about, as I understood, was the duty upon the manufactured product of pumice stone.

Mr. SMOOT. No; the Senator from Kansas is complaining that the bill provides for a reduction of 75 per cent on the raw material, or the pumice-stone importations, and that on the manufactured article of pumice stone it has been reduced from 80 per cent to 50 per cent.

Mr. SIMMONS. The Senator from Kansas did complain of the reduction to 5 per cent, but I did not refer to that duty at all in my statement and in my inquiry of the Senator from Kansas. I was talking altogether and solely about the manufactured product, which in the present law bears a duty of 80 per cent, and in this bill a duty of 50 per cent.

Mr. SMOOT. All I desired was to know the Senator's position in relation to competitive rates, because if this rate of 50 per cent is a competitive rate what does it compete with? It competes with manufactures that are made from imported pumice stone, and not from pumice stone produced in this country.

Mr. SIMMONS. It brings about a competition between the American manufacturer of Italian pumice stone and the foreign manufacturer of Italian pumice stone.

Mr. BRISTOW. I do not care to prolong this discussion; but I was anxious, if I could, to get an answer to my question as to the exact theory upon which these duties are based. So far as my information goes, the Senator is right as to the Italian pumice stone being used largely for polishing silverware, furniture, and so forth, and that particular kind of work is not the kind of work for which our pumice stone is used. Ours is largely used in the manufacture of soap and cleansing materials of different kinds, and the market for that which is produced in the region of the country with which I am somewhat familiar has been with the large packing houses. They complained bitterly four years ago that the duty was raised on

the raw material, and now it seems that they are satisfied, or they certainly should be, because the duty has been reduced on their raw material practically 75 per cent, while the duty on the finished product is maintained as high as 50 per cent ad valorem.

I think that is another evidence of the discrimination in this bill against the original producer, and the maintenance of high duties, when maintained in behalf of the manufacturer, which frequently is in behalf of the great combinations in our industrial life. This little duty illustrates that theory in this tariff bill the same as other duties to which I have called the attention of the Senate.

With the limited attention I have been able to give this particular paragraph I could not fix the duty which I think the manufacturer should have from the standpoint of the cost of production. If the Senator will say that he is entitled to 50 per cent because of the cost of production, the wages paid, and so forth, and can demonstrate that he is entitled to that duty, and that the duty goes into the pockets of the men who receive higher wages here than they do in foreign countries, I shall cheerfully join him in maintaining such a duty. But unless that can be clearly and conclusively shown, I think a duty of 50 per cent on any manufactured product is too much. If that can be shown, I shall not object to it.

Mr. STONE. Mr. President, I ask that the paragraph be agreed to.

Mr. SIMMONS. There is no amendment.

Mr. JAMES. There is no amendment offered, as I understand.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in paragraph 78, page 19, line 23, after the words "fluorspar, \$1.50 per ton," to strike out "limestone rock asphalt, 25 cents per ton; asphaltum and bitumen, 50 cents per ton," so as to make the paragraph read:

78. Clays or earths, unwrought or unmanufactured, not specially provided for in this section, 50 cents per ton; wrought or manufactured, not specially provided for in this section, \$1 per ton; china clay or kaolin, \$1.25 per ton; fuller's earth, unwrought and unmanufactured, 75 cents per ton; wrought or manufactured, \$1.50 per ton; fluorspar, \$1.50 per ton; *Provided*, That the weight of the casks or other containers shall be included in the dutiable weight.

Mr. BURTON. Mr. President, I should like to ask the Senator having this section of the bill in charge what is included in the striking out of asphaltum and bitumen here? That includes both the crude and the refined material, does it not, and those are placed on the free list in paragraph 537½?

Mr. STONE. They are placed on the free list.

Mr. BURTON. Both of them?

Mr. STONE. Yes.

Mr. BURTON. Does the Senator from Missouri feel sure that that general designation is sufficient to avoid any difference of opinion in regard to classification? Formerly they were separately classified, the crude bitumen having a duty of \$1.50 and the refined bitumen a duty of \$3.

Mr. STONE. I understand the same language that is employed here has been used all along.

Mr. BURTON. It has been concluded, has it, that this language is sufficient to include both the crude and the refined material?

Mr. STONE. That is our opinion. If the Senator thinks differently, we shall be glad to have his views in regard to it.

Mr. SIMMONS. I think the language in the present law is the same as this. It is as follows:

Limestone rock asphalt, 50 cents per ton; asphalt and bitumen, not specially provided for in this section, crude, if not dried or otherwise advanced in manufacture, \$1.50 per ton.

I see the words are different. The additional words "if not dried" are used. The intention was to put it all on the free list, though.

Mr. BURTON. This does not have to do with limestone rock asphalt. My inquiry related to bitumen.

Mr. STONE. I should like to ask the Senator from Ohio if it is his judgment that this language would not put them both on the free list?

Mr. BURTON. I am inclined to think it does include both.

Mr. KENYON. I desire to suggest that the Senator from Kentucky [Mr. BRADLEY] has an amendment he desires to offer to this section. He was obliged to leave the Chamber for just a moment.

The VICE PRESIDENT. Without objection, the committee amendment will be agreed to, and the section will not be passed until the Senator from Kentucky returns.

Mr. JAMES. I did not understand the Senator from Iowa.

Mr. KENYON. The Senator from Kentucky [Mr. BRADLEY] had to leave the Chamber, and he has an amendment to offer to this paragraph.

Mr. JAMES. We have no objection to its being passed over.

Mr. STONE. Let it be passed temporarily.

The VICE PRESIDENT. Without objection, the committee amendment is agreed to, and the Senator from Kentucky can offer his amendment later.

Mr. KENYON. May his amendment be taken up when he returns?

The VICE PRESIDENT. Yes; that may be done.

Mr. SHERMAN. Mr. President, I do not know the nature of the amendment to be offered by the Senator from Kentucky; but if it relates to fluorspar, before his amendment is finally passed upon, I wish to be briefly heard upon it.

The VICE PRESIDENT. It has been passed over until the Senator from Kentucky comes in.

Mr. JAMES. I can state to the Senator from Illinois that the amendment the Senator from Kentucky intends to introduce does relate to fluorspar.

Mr. SHERMAN. I wish to be heard on it before the subject is disposed of.

Mr. KENYON. I have here the amendment, which I think I will introduce in behalf of the Senator from Kentucky, and then the Senator from Illinois can proceed.

Mr. JAMES. The Senator from Kentucky is now in the Chamber.

Mr. BRADLEY. Mr. President, I shall only briefly detain the Senate. When the time comes to take a vote, I shall ask for the yeas and nays. I do not know that it will do any good for me to call attention to this matter, as our friends on the other side seem to be disposed to maintain the bill as it now stands, no matter what suggestions may be made. I am a little reminded by their position of an old lawyer in Kentucky who was trying a will case. He excepted to about 50 rulings of the court against him; and finally the court ruled once for him, and he excepted to that. The court said to him: "Why, Mr. Jones, I decided in your favor. Why do you except to the ruling of the court?" He replied: "If your honor please, simply to appear consistent on the record." [Laughter.]

It seems to me that our friends on the other side are blindly disposed to keep what they may call their consistency apparent on the record. But I desire to suggest that there are some facts surrounding this industry that do not obtain, as I understand, in regard to any other which is affected by this bill.

In the first place, fluorspar is produced in Arizona, Colorado, Tennessee, southern Illinois, western Kentucky, and some other States. The United States Geological Survey and the surveys of Illinois and Kentucky show that the quantity in the two last-named States is sufficient to supply the demands of commerce for several decades to come.

The value and use of fluorspar is comparatively of recent discovery. The American people ascertained from repeated experiments that it was exceedingly valuable for a number of purposes. In the first place, while it was known and has been known for years to be valuable as a flux in the making of iron, it was discovered comparatively recently that it was peculiarly valuable in the making of open-hearth practice steel. It was found also that it was exceedingly valuable in the manufacture of glass; that it was valuable as a flux in the manufacture of other metals than iron and steel; that it was valuable for the making of fluoric acid; and that it was valuable for the purpose of making enamel for bathtubs and other articles.

Our people, after having ascertained these facts, commenced the development of this industry; and in 1902 in Illinois and Kentucky alone there were 47,170 tons of fluorspar mined, and at that time there were 150 establishments in those two States alone engaged in the manufacture.

What happened? Some enterprising Englishmen who had found out the value of this material went into the counties of Derby and Durham in England, where lead had been mined for centuries until the lead was exhausted. They found there huge piles of mineral containing fluorspar. They took a lease on those dump piles for a comparatively nominal royalty and commenced shipping the product to this country as ballast at the cheap ocean freight rate of \$1 per ton. When they reached our coast they shipped it to Pittsburgh, where they sold it for \$4.85 and \$5 a ton. The result was that the people engaged in this business at home, who were compelled to pay \$5, or approximately so, simply to mine this article, were overwhelmed. In addition to that, they had to pay \$2.50 freight to Pittsburgh, so that when it reached Pittsburgh the material had actually cost \$7.50, and there they were confronted with the dump piles of

England selling at \$4.85 and \$5 per ton. The result was that the production of fluorspar here shrank in 1907 to 28,655 tons, and the 150 companies were all dissolved except, I believe, 12.

I want to call attention now to the fact that under the Dingley bill there was no protection on fluorspar; but there was contained in that bill a section providing that "minerals in a crude state not otherwise referred to" were to be admitted free of duty.

Under that provision the English fluorspar came into this country free. We were confronted with this condition of affairs. The industry here was doomed. In 1909 the Aldrich bill was passed, placing a duty of \$3 a ton upon fluorspar, which gave the American manufacturer the advantage only of 50 cents a ton over the foreigner. Under that bill the production increased. In 1909 it amounted to 50,742 tons; in 1910, to 69,417 tons; in 1911, to 87,048 tons; in 1912, to 116,545 tons—of the value of \$769,163.

Meanwhile, notwithstanding this tariff, there were imported into this country in 1911, 22,588 tons, showing that the tariff of \$3 per ton is not at all prohibitory—because nearly one-sixth of the article consumed was imported—but is absolutely necessary to the maintenance of this industry. We might call this an infant industry. Our people have engaged in it, and they have expended their money in order to develop it, until it has become fairly remunerative, and there are nearly 2,000 laboring men engaged in the mines in Illinois and Kentucky.

Now the question arises, Why should we have this change? So far as the production at home and abroad is concerned that does not enter into this discussion. There is no cost of production abroad. The article is already produced, and the only cost is to shovel it up and ship it to this country and dump it upon our people. Therefore I say the cost of production has nothing to do with it.

The second question is, What effect does this tariff duty have? Does it increase the price to the consumer? Why, Mr. President, the tariff on fluorspar is a mill and a half per pound. It requires from 5 to 10 pounds of fluorspar to flux a ton of steel. In other words, it costs $7\frac{1}{2}$ to 15 cents a ton—so infinitesimally small that it can have no effect whatever on the cost to the consumer. Besides, if any benefit is to be received from this change it will be received by the steel manufacturer, who is not asking it. No manufacturer of steel has asked that the tariff on this product should be reduced. Therefore I say that the only result of this legislation will be to punish the people who have invested their money in this enterprise, absolutely destroy their business, and throw 2,000 miners with remunerative wages out of employment.

Is this done to compete with a foreign country that mines fluorspar? No. If it were mined in England it might be said there would be something proper in adjusting the tariff so as to allow the difference in cost of production in this country and that. But it is not mined there. It is simply brought here, as I said, and dumped down. The only result of the reduction of duty would be the absolute destruction of the interest of our people and the absolute destruction of this industry.

Now, I can not believe that this Congress desires to do anything of that sort. But it will be said some revenue may be derived. How much revenue, with a duty of \$1.50? You say you can get at any rate as much as you get now, because the quantity will be doubled that is shipped in. We will get about \$60,000 revenue for the coffers of the National Government. We will be obtaining this paltry sum of revenue which at last is produced by the sale of the dump piles of the Old World as against our manufacturers, and to do this we will cut the tariff to \$1.50. After our industry is destroyed the foreigner will increase the cost to the amount which is now paid.

I appeal to my friends on the other side of this Chamber. This is an injustice, and it is an injustice in behalf of the foreigner who has not a legitimate industry. It is an injustice, because it puts money into the hands of men who simply are taking advantage of an old situation while it destroys us.

I appeal to my friends on the other side to give us this duty of \$3 a ton. I do not know whether that appeal will amount to anything or not. But I appeal to you not to destroy this new industry that has been developed by American genius and American workmen who have found the uses of this article and who have made it what it is.

It is now upon a semisecure basis. These people are not getting rich, but they are able to make the business profitable. I do hope that the Senate will not see fit to vote down the amendment which I have offered.

Mr. SIMMONS. Mr. President, I simply want to call the Senator's attention to the fact that in 1912 the price of fluorspar imported into this country without the duty was \$2.78 a ton. In 1912, the same year—

Mr. BRADLEY. Where does the Senator find that?

Mr. SIMMONS. I find that in the statistical report of the United States Government.

Mr. BRADLEY. I find it just the other way.

Mr. SIMMONS. If the Senator will read the Democratic handbook here, he will see that those are the figures given by the department, and the figures as to import unit of value are taken from the official figures.

Mr. BRADLEY. Fluorspar sold in this country in 1912 was valued at about \$7 a ton; to be exact, at \$6.59.

Mr. SIMMONS. That is exactly the point I was going to call the Senator's attention to. That is exactly true. The unit of the price of fluorspar produced in this country last year was \$7.02. That was the average price for the American product.

The imported product, less duty, was \$2.78, making a difference between the price at which the article could be bought abroad and brought here, leaving the duty out, of nearly \$5. What I wish to ask the Senator is this: Does he not think where we can buy an article for \$2.78 that \$7 is too much to require the people of this country to pay for that article, and does he not think that there ought to be something done in order to reduce the domestic price?

Mr. BRADLEY. Do I understand the Senator to say that this article can be bought in this country at \$2.78?

Mr. SIMMONS. If the Senator will just refer to the handbook, he will see—

Mr. BRADLEY. I understand that, but will the Senator please—

Mr. SIMMONS. I am speaking of the handbook, giving the values.

Mr. BRADLEY. Does the Senator say it can be bought here for \$2.78?

Mr. SIMMONS. Let me read from page 91, giving the imports, the value of imports, the unit of value, and the duties. The Senator will see that the imports of that year were 22,664 tons, and the value was \$62,994, the average unit value \$2.78.

Mr. BURTON. Will the Senator from Kentucky allow me?

Mr. BRADLEY. Certainly.

Mr. SIMMONS. Of course I can not speak for the accuracy of those figures; but I have now the Government's figures and they are just the same.

Mr. BURTON. I should like to ask the Senator from North Carolina a question, which in this case is of rather vital importance. Are those figures the foreign price, minus freight?

Mr. SIMMONS. They are the invoice price of the goods.

Mr. BURTON. That would be minus freight.

Mr. SIMMONS. Yes; the invoice price of the goods minus freight.

Mr. BURTON. That fact assumes a great deal of importance here—I think it has not been specially worthy of notice in most of the items taken up—because the freight from the place of origin is a very considerable item.

Mr. SIMMONS. Does the Senator know what it is?

Mr. BURTON. It would be at least a dollar a ton—probably more. Possibly it is brought as ballast from the shipping point.

Mr. SIMMONS. Assume that, and still you have a difference between the foreign price and the domestic price of about \$7. That seems to me to be too much for the American people to pay. It is evident they are taking all the benefit of this duty and adding a little something to it, and that seems to me to be rather too much to expect the American people to pay.

Mr. BRADLEY. If the freight of \$1 is added to the invoice price of \$2.78, then the cost here was at least \$3.78, and the Senator was mistaken when he said it could be bought for only \$2.78 per ton.

Mr. President, in the first place, you not only add the freight, but you must add the cost of moving the fluorspar from the seacoast to the market at Pittsburgh. So that at last it will be found that the figures of the Senator from North Carolina [Mr. SIMMONS] are not illuminating. But suppose we admit that you can get it here for \$2.78 a ton, then that is 22 cents less than the tariff of \$3 a ton. If you can get it here for that amount of money, the tariff does not affect it, and the only result of the tariff has been to cheapen the article so that the consumer does not pay the tax.

Mr. SIMMONS. I will say to the Senator that the tariff under the present law is \$3 a ton.

Mr. BRADLEY. Certainly.

Mr. SIMMONS. And you add that to this duty here. That would make about—

Mr. BRADLEY. That is all right, but what I am saying is that the tariff being \$3 a ton, the article can be bought for only \$2.78.

Mr. SIMMONS. I have not said the article sold in this country for \$2.78. If there were no tariff on it then the article would sell in this country for \$2.78 plus the freight, whatever that may be, and plus the profit.

Mr. BRADLEY. The Senator is again mistaken. If the invoice price is \$2.78, the ocean freight \$1, and the freight to Pittsburgh, say, \$1.50, the net price here would be \$5.28 per ton, when it costs in this country to dig the ore out of the ground \$5 a ton, exclusive of any sort of transportation.

Mr. SIMMONS. That is exactly what I am saying. The unit value of this article imported is \$2.78 a ton. The freight is probably another dollar. That is \$3.78. The producers of this product in your State have added that tariff of \$3; and they have added the freight, \$1; and they charge \$7 for it, which makes the foreign import price plus the duty plus the freight. They have taken advantage of it at the cost of the American people.

Mr. BRADLEY. Do I understand the argument of the Senator to be that, with \$1 freight added, the foreign article is worth \$3.78?

Mr. SIMMONS. Yes.

Mr. BRADLEY. And notwithstanding that fact, it can be sold for \$3.78 when the producer in Illinois and the producer in Kentucky are selling it for \$7?

Mr. SIMMONS. The Senator is mistaken. It can not be sold under the present law for \$3.78 because it would have to pay a duty of \$3 before it would get in, which would make the price \$6.78. The domestic producer, therefore, takes advantage of the \$3 tariff and of the whole of the \$1 freight, if the Senator from Ohio [Mr. BURTON] is correct about the amount, and charges them to the American people upon every ton they buy in this country.

Mr. BRADLEY. Suppose that be true; that it is \$6.78 a ton net after the tariff is paid, and yet the figures here show that the home product sells for only \$6.59, and it costs \$5 to mine it. The other is already mined and is brought here and dumped down on our people, and who have the advantage of only 19 cents a ton.

Whenever you repeal one dollar and a half of this tariff and allow this foreign article to come in here, the net price would be \$5.28, and you would close every fluorspar mine in the United States, and that is the end of it. There is one thing certain, no one will ever come to this country to buy fluorspar piles, because there will be none here to buy, for we will never be able to take it out of the ground if this policy is to be carried out.

Mr. SHERMAN. Mr. President, I can not add very much to the concise statement made by the Senator from Kentucky [Mr. BRADLEY], but there is an entire community of interests between us, and as a celebrated Democratic authority stated at one time the tariff was a local question. I add some further comment. The view taken in that way stated it in a somewhat narrow but a very practical manner. The country is a combination of local and occasionally selfish interests, and that is what commerce is sometimes. But we are trying to maintain all those local interests for the purpose of promoting the general welfare of the whole.

I am not oversanguine of making any impression on my Democratic brethren, Mr. President, but "hope springs eternal in the human breast," and I return to the onslaught repeatedly. I do not know whether it is that alone or whether, as trial lawyers say, we are perfecting our record in order to go up on it some time. At least, if economically our brethren are right, then we have been everlastingly, eternally, and economically wrong, and the question had just as well be appealed and heard by some court of competent authority in order to find out if possible whether it can ever be settled. I am not oversanguine as to having any permanent settlement made in this Chamber by the passage or defeat of this bill.

With this one item, however, and that seemingly insignificant, Mr. President, there is tied up the employment or idleness of some hundreds of men in a State which temporarily I have the honor to represent. It is a part of this country that did not develop very rapidly in the early times. A considerable mineral value has been discovered in that part of the country. Some of the largest soft-coal mines in the world are found in that end of the State. In portions of southern Illinois there is a very large tonnage of soft coal mined. The veins run from 12 to 14 feet. With that development men began to examine other resources of that country. As far back as 1842, long before anyone dreamed of its having a commercial value, fluorspar was taken out and carried away as a curiosity because of its attractive coloring.

It is always found blended with a greater or less percentage of lead and sometimes other related products. Occasionally

there is zinc, but generally the galena blend is the strongest of any other known mineral. In the early times of this mining question there was an opinion that it was an indication of lead. In the northwestern part of Illinois and in the southwestern part of Wisconsin the development of lead has been very profitable to those working that mineral. When it was found down in the fluorspar country it was supposed that lead deposits in profitable quantities could be developed. In the first instance, back in 1842, it was prospected solely for lead. It was not until along in 1862, some 20 years after, that it was discovered that fluorspar had a commercial value. Later it was worked in small quantities.

Something has been said here of prices. In this Democratic handbook I have made such investigation as I have been able, coupled with other information I have on the subject. The unit value here of the importation fixes \$2.78 as the correct figure. The unit value is the invoice value abroad, free on board the vessel of commerce. That invoice value is either on a car ready for transportation to the seaboard in Derbyshire or in points in England where it is found. It is quoted on board the vessel. I can not be entirely accurate as to saying which it is, but it is free on board at either the sea point or at the point where it is delivered to the car in the interior of the island, as stated.

The lead mines of England have been worked for centuries. They are like the stannary districts where the tin mines were in existence at the time Caesar crossed the channel and invaded England. Almost from that time the lead mines of England have been worked. The bullets that were molded in the ancient wars of England were taken from the very mines out of which those tailings come to-day to sell at Pittsburgh in competition with this product from the Ohio River.

The fluorspar has lately acquired industrial significance. In former years its use was largely confined to enameling, watch dials, for chemical purposes in refining antimony and lead, and making hydrofluoric acid; in later years to the production of aluminum, and it is also used in the manufacture of sanitary wares, as a bond in manufacturing emery wheels in making opalescent glass, and in making electrodes for flaming arc lights, increasing the illuminating power and decreasing the current. More recently it is used extensively in open-hearth steel furnaces. It is estimated that about 80 per cent of the American production is consumed in such furnaces in the United States. With the increasing use of steel the demand for fluorspar is constantly enlarging. Fluorspar is used as a flux in steel manufacture. Competent authority from the laboratory and furnace says it reduces the sulphur and phosphorus and increases the tensile strength of the steel. It saves more iron than any other flux.

There is a wider field of distribution, I apprehend, than the authors of this paragraph had anticipated in this article. It is distributed in the United States in the Appalachian areas from Maine to Virginia. In the Mississippi Valley the important producing districts are in Kentucky and Illinois, which lead all other portions of the Union. At Jamestown, Colo., in Arizona, and New Mexico, near Deming, of the West and Southwest produce considerable quantities. Tennessee produces some. Western Kentucky is second only in production. The deposits lie along the Ohio River. In Illinois Hardin and Pope Counties lead in the production.

A remarkable development of this product has been made in very recent years. In 1883 the first available statistics on fluorspar show there were 4,000 short tons, valued at \$20,000, produced in the United States. In 1911 there were 87,048 short tons, valued at \$611,447. In 1911 Kentucky reported a total sales of 12,403 short tons, valued at \$96,574. From Illinois the same year there were 68,817 tons, valued at \$481,635. This includes gravel spar, lump spar, and ground spar in both districts. Colorado, New Mexico, and New Hampshire produced 5,828 tons, at an aggregate value of \$33,238. In foreign countries it was distributed for 1910—the last available statistics—as follows:

	Tons.
Austria (metric tons)-----	8,000
France-----	8,264
Germany (exports; this country no longer reports production)-----	17,988
Spain-----	180
United Kingdom-----	62,607

This is a total production abroad of 97,039 tons. The Senate handbook estimate is 40,000 tons of imports for 1913 and 1914, as against 22,664 tons imported in 1912 and 16,561 tons in 1910. This estimate shows our friends expect fluorspar imports to be doubled on a 50 per cent reduction. The largest production area in western Kentucky and southeastern Illinois furnishes under present conditions a large part of the domestic supply. England is our chief competitor. It is there derived, as stated, from waste dumps and tailings in the lead districts. Since 1903 there

has been a steadily increasing production from this source. Nearly 62 per cent of the entire British output was exported to the United States in 1910. Only small quantities were exported from England to continental Europe and Canada, estimated at from 17 to 25 per cent of the total production. Opinions on the quantity available in England differ. Some authorities there say that more than 90 per cent of the gravel spar is obtained from lead-mine dumps. Competent authority in that country says the supply is practically inexhaustible. Other authorities contradict this. It is produced there at a very low labor cost, and as it comes from waste dumps, its total production cost is low. It is carried as ballast in freight boats and is a highly competitive product with our domestic article. It competes as far west as Pittsburgh and extends southward in its entry to Birmingham, Ala. The latter is comparatively small, being confined to 39 tons for the port of New Orleans. The imports of this article are the largest at Philadelphia, being 21,129 tons; at Boston, 901 tons; New York, 391 tons; Baltimore, 78 tons; San Francisco, 50 tons, for 1912. The importations have fallen off since 1910. The total for the year ending June 30, 1912, being 22,588 tons.

The low ocean freights and low production cost in England make it a profitable article of export. Before 1909 fluorspar was free listed. Under the present law it is dutiable at \$3 per ton.

The importations of this article have decreased since 1910, reaching 42,000 short tons in that year and falling to 32,764 tons in 1911. For 1912 there were 22,588 tons, and for the first nine months of the fiscal year 1912-13, 17,387 tons. It is significant that the importation of this article has decreased since the act of 1909 placing a \$3 per ton duty on it. It is important to note that the average valuation of the imports per ton in 1909 was \$3.78; in 1910, \$3.18; in 1911, \$2.46.

If, with this duty to equalize the production cost, the foreign product is still able to be competitive, the domestic product will meet destructive competition when it suffers the 50 per cent reduction made in this bill. An authority on this subject writing in 1905, prior to the imposition of the \$3 a ton duty, says:

Importers have now a slight advantage in the Pittsburgh market on this grade of ore. The American producers' only competitors are the importers, and competition with them is mainly a matter of transportation costs.

The fluorspar imported from England is derived from waste dumps and is obtained at very little expense. A few years ago this did not exceed a cost of \$2.31 per ton at Liverpool. As the material was generally carried as ballast, the freight rate to American ports was very low, and even with the addition of railroad freight and the tariff was able to compete with the American product at eastern points. Many fluorspar mines in South Durham and Derbyshire were idle and the production was only about half that of 1910. Few orders from the United States were given. The fluorspar mining in the United States must be carried on very efficiently under these circumstances in order to pay.

Considerable labor is required to put the spar in merchantable form. Birmingham, with its increasing industry, is using considerable of this product. The last reports available show that steel centers are taking a steadily increasing quantity. Many of the smaller companies, even with this increasing market, were idle in the Illinois-Kentucky district last year. The development of the mines and transportation facilities can be had only if the American market is kept intact. Fluorspar runs in veins. It is not merely a general rock deposit. It is mined as many metals are. Shafts must be sunk, tunnels driven, and the veins worked. They run in thickness from a few inches to 22 feet. The operation, sorting, and screening of the spar requires expensive machinery especially designed for that purpose for its economical production. The Kentucky area has declined until lately as compared with other points in this country.

This is attributed by those familiar with conditions to failure to appreciate the highly profitable, useful character of the spar, and that lead and zinc are usually by-products only; lack of competent engineering devices, lack of sufficient capital, and failure to provide adequate time for proper development; want of skilled miners and steady employment. With these latter conditions are combined the lack of good wagon roads at some producing points and other transportation facilities. The competitive import has helped hinder development until 1909 and 1910. Prior to 1909 its import value was \$1.32 higher per ton than it was in 1911 after it was made dutiable. The imported article can be purchased advantageously, even under present conditions at any Atlantic port of entry. In the free-trade period of fluorspar the average cost to the consumer, including the \$3 per ton duty, exclusive of freight, was \$6.18 as compared with \$5.43 for the domestic article.

It is evident that the future of this product in the United States depends upon the retention of the domestic market. The industry is not fully developed. It will be only under present conditions. If foreign fluorspar crowds the market in the eastern steel-producing centers, the Kentucky-Illinois developments

will ultimately cease. British freight boats carrying the extracted fluorspar from the tailings and mine dumps of England will take the market of the eastern United States. The method of through freights from foreign shipping points to Pittsburgh and other interior steel centers facilitates the loss of American markets in this article. The railway freight from the Atlantic ports to Pittsburgh or other steel manufacturing points, figured in the through foreign rate, is so low as to be dangerous to the domestic article. When the freight rates in the United States from the fluorspar mines to the markets it must seek are put alongside of the combined ocean and railway rates to the United States, a material advantage to the foreign exporter is apparent in addition to the 50 per cent reduction in this bill. Whatever form it may assume, whether it be the commoner forms of earthenware made in Liverpool, Ohio, or made in northwestern Illinois, or other manufactured merchandise put on the market, are in the last analysis from 60 to 90 per cent labor cost, even if you take all the overhead charges of putting it on the market, cost of maintenance, and allow a liberal estimate for dividends on the amount of capital invested in the enterprise.

Fluorspar is in the same condition. It is a natural product. It is not earth that is shoveled up as is gypsum on the coasts of Nova Scotia and New Brunswick, but it runs in veins. It has a side wall and an underlying or foot wall. In the Rosiclare mine there is a shaft more than 300 feet deep with tunneling leading out from it following the veins through the various dips and directions they take. It requires skill for miners to work this article. It requires a special form of plant. The Rosiclare mine is the most complete of these enterprises in this country. It has a specially devised plant and machinery.

The men who do the work connected with this machinery are well paid. They are paid on an American standard of wages, as has already been stated. By the time it reaches the open-hearth furnaces in the city of Pittsburgh, at the price quoted of \$7.02 a ton as a commercial article, it is fair to say that more than eighty cents out of every dollar on that ton is American labor down on the Ohio River that produces it. It is not profitable unless we have the market.

It means, as the Senator from Kentucky [Mr. BRADLEY] has said, the death knell of this industry in Kentucky and Illinois. It is perfectly evident from the authorities I have consulted—and I have read both sides of the question—that the future of this production in the United States depends upon the retention of the domestic market for the present producers of this article.

The industry has not been fully developed in this country. There is some in Tennessee awaiting development and a small outcropping in Arizona that nobody has developed so as to see whether it is sufficient to be profitable or not. There is a great deal of it undoubtedly yet in the State of Colorado; but a single plant at Pueblo, the Colorado Fuel & Iron Co., is now taking all that can be produced there and near Deming, N. Mex.

Mr. BURTON. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. SHERMAN. I do.

Mr. BURTON. Can the Senator give what that freight rate is?

Mr. SHERMAN. I can not give it.

Mr. BURTON. I was rather curious to know just what is the rate.

Mr. SHERMAN. I have not that freight rate. I wrote for it, and even telegraphed for it, but I have not been able to obtain it. If, however, the ocean freight on similar products is taken, I can generalize now without giving you the figures. It is a condition similar to that stated by the Senator from Iowa [Mr. CUMMINS] a few days ago when the discussion of another product raised the same question.

If the ocean freight be deducted from the joint ocean and rail rate from Liverpool to Pittsburgh, the rail rate from Philadelphia to Pittsburgh is lower than a domestic shipment between the latter points.

So there is competition in the matter of freight rates which we have to meet in addition to this destructive cut made in this bill of 50 per cent. These considerations taken together simply spell out the destruction of this industry.

Mr. JAMES. Mr. President, I am somewhat familiar with the fluorspar situation. Practically all the spar produced in Kentucky is mined in the county in which I live. I think my colleague, the senior Senator from Kentucky [Mr. BRADLEY], was mistaken when he said that it cost \$5 a ton to mine it. I think the fact is that it costs about \$2.50 a ton to mine it. The spar mines—

Mr. BRADLEY. Mr. President—

The VICE PRESIDENT. Does the junior Senator from Kentucky yield to his colleague?

Mr. JAMES. I yield.

Mr. BRADLEY. I obtained my information from gentlemen engaged in the business in the Senator's county. I think Mr. Nunn was one of them.

Mr. JAMES. I think the Senator has confused the statement of Mr. Nunn as to the cost of production with his statement as to the cost of putting the product upon the railroad, because the mines are some 9 or 10 miles in the country, and it costs from \$1.25 to \$1.50 a ton to bring the supply from the country to the railroad track. The miners in my county are paid from \$1.75 to \$2 a day. The total number of people engaged in this work in the whole country is about 700. The best friends I have in the world are the men who own those spar mines, and if I were disposed to act like one of those gentlemen who want to place the products of everyone else on the free list and to have a tax placed on his own, I would be opposed to the reduction of this rate from \$3 to \$1.50 per ton.

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Kansas?

Mr. JAMES. I yield.

Mr. BRISTOW. Will the Senator please advise us why a duty of 50 per cent is desirable on fluorspar, when 5 per cent on pumice stone and 10 per cent on gypsum are regarded as sufficient?

Mr. JAMES. Mr. President, the Senator from Kansas can not deflect my argument to wool grease or dextrine or some of those small things about which he has been arguing heretofore.

Mr. BRISTOW. If the Senator will pardon me, I was not trying to deflect it upon wool grease or dextrine, but upon gypsum and pumice stone.

Mr. JAMES. I will tell the Senator why this rate is placed at 50 per cent. It is placed at that rate solely to produce revenue. The Senator has heard the senior Senator from Kentucky [Mr. BRADLEY] say that it was not a protective duty. I am not in favor of a duty in this bill upon a product of my home county or anywhere else for the purpose of protection. I believe the taxing power can only be properly used for the purpose of obtaining revenue sufficient to run the Government.

Mr. BRISTOW. Would not a duty above 5 per cent produce more revenue on pumice stone than a duty of 5 per cent?

Mr. JAMES. Oh, Mr. President, the pumice-stone matter was argued out. The Senator took up about three hours on that proposition yesterday, and I thought he was properly enlightened, but if he will permit me, I merely want briefly to discuss the question that is now before the Senate. The duty on pumice stone has already been settled.

Originally the rate placed on this commodity by the House of Representatives in the Payne bill in 1909 was a dollar and a half a ton. That is all the producers thought they wanted then, and that is all which was thought necessary for the purpose of making competition between the home producer and the importer. That rate came to the Senate and was increased to \$3 per ton. The House of Representatives, framing a Democratic tariff bill for the purpose of obtaining revenue without the purpose or intent or desire of protecting anybody, thought that a tariff rate of one dollar and a half on this article would produce revenue and at the same time afford fair competition between the importer and the American producer.

It is true, as the senior Senator from Kentucky [Mr. BRADLEY] has said, that a great deal of this spar in England is in old heaps, where in former days, as they were engaged in other mining and did not know of its value or its use, it was thrown out, and it is gathered up there now, perhaps, at a price of a dollar a ton, is screened, and then brought over here. The truth is that the spar-mine operators in Kentucky, in my home county, and in the counties of Illinois started this industry not under a protective tariff; they had no tariff at all, but had to meet the competition of the world, and they did meet it.

Mr. BRADLEY. Mr. President—

The VICE PRESIDENT. Does the junior Senator from Kentucky yield to his colleague?

Mr. BRADLEY. I should like to ask my colleague a question.

Mr. JAMES. I yield.

Mr. BRADLEY. Was there any competition with the world at the time our people commenced this industry?

Mr. JAMES. Oh, well, as to the discovery of the use of fluorspar—

Mr. BRADLEY. Has not that competition grown up since we started the development of this enterprise and since we discovered the many new uses and value of fluorspar?

Mr. JAMES. Of course, none of it was imported here until its use was discovered; which has been within the last few years.

Mr. BRADLEY. Then, I will ask the Senator if it was ever valuable until its use was discovered?

Mr. JAMES. Certainly not. Of course, it could not have been valuable until its use was discovered; but I can say that in Kentucky, when fluorspar was first discovered, they used to go and take it right off the top of the earth; and there are many places there now where it can be found. Hundreds and hundreds of wagons loaded with fluorspar have been brought into the town in which I live, for which they did not have to go into the earth to mine it, but now they do have to mine far into the earth to obtain it.

As I was proceeding to say, the original rate upon fluorspar was \$3 per ton, which was an ad valorem of 107.94 per cent. This rate is reduced to 50 per cent ad valorem, and therefore makes the rate \$1.50 per ton. The peculiar conditions in England were the reasons urged for the tariff rate. Now, the House of Representatives have reduced this rate to \$1.50 a ton, and the Democratic members of the Finance Committee of the Senate concur in their finding. We reckon that it will produce revenue to the extent of \$60,000 annually.

It is almost a question of freight rates. In the part of the country in which I live, western Kentucky, the railroads have discriminated against the spar shippers. They give a fairer and a better rate to the spar shippers right across the Ohio River at Roseclaire. They did that to such an extent that the owners of the spar mines in my own county appealed to me to appear before the Interstate Commerce Commission in their behalf.

The spar business in western Kentucky, in my judgment, will go on under this bill. One dollar and a half will make a fairly competitive rate for them and will produce revenue for the Government.

My colleague, Senator BRADLEY, proceeded in his usual good-natured and eloquent way to implore us to restore the rate of 107.94 per cent. His eloquence was most touching, and I thought that it was having considerable effect upon this side, until the Senator from Illinois [Mr. SHERMAN] rose and started to speak, and the longer the Senator from Illinois spoke the more thoroughly he became convinced of the hopelessness of the case, and at last he defied us and told us that he hoped for no relief at all.

In this bill as reported by the Finance Committee we leave a 50 per cent duty, while reducing the rate fifty-seven and some odd per cent. The spar mines in my county can live under it, and if they can not they are not entitled to survive.

Mr. BRADLEY. Mr. President, I understand my distinguished colleague to say that the cost of mining fluorspar in his county and putting it on the train is about \$5 a ton. I will not take the time to discuss the difference between that statement and the statement which I made, that the labor cost is about \$5 in getting it ready for the market.

The Senator says that with a duty of \$1.50 a ton the spar mines in his county can live. Let us see how they can live. It costs \$5 a ton to put this spar on the train; the freight rate to Pittsburgh is \$2.50, so that, when it reaches Pittsburgh, it has cost \$7.50. According to the statement of the distinguished chairman of the Finance Committee, the fluorspar in the Old World is valued at \$2.78 per ton in the invoice. It costs a dollar a ton to bring it to this country. That makes \$3.78. Let us say that it costs—put it as high as you please—a dollar a ton to take it from the coast to Pittsburgh. That will make a total of \$4.78; and when the fluorspar from the county of my distinguished colleague reaches the Pittsburgh market, costing \$7.50, it is confronted with spar delivered there at \$4.78, with proposed rate of \$1.50, making \$6.28. I should like to know how the fluorspar industry in his county can live under these circumstances? Mr. Nunn says it can not.

Mr. JAMES. Mr. President, my colleague entirely misunderstood what I said. The Senator himself stated that it cost \$5 a ton to mine fluorspar in Kentucky. I said that in my judgment, that was an error; that it did not cost exceeding \$2.50. He then replied that some gentleman in my home town had given him that information, and I said that, perhaps, he had confused the cost of mining with the cost of hauling it from the mine, 7 or 8 or 9 miles in the country, to the railroad station. Now, I will read from the brief filed by Mr. Nunn, who appeared for these people. He states:

In other sections of Illinois and Kentucky the hauls are made by wagon from the mines to the nearest railway station at a cost varying from \$1.25 to \$2 per ton.

I notice that the Senator from Illinois [Mr. SHERMAN] did not give the cost of mining spar. They speak of the competition which at a certain rate of duty will destroy them, but, singularly enough, they do not tell us how much it costs to mine it. Two dollars and a half a ton, in my judgment, is all that

it costs to mine fluorspar, and \$1.25 or \$2 a ton to bring it to the market. Mr. Nunn himself further states in this brief, that under the tariff rate of \$3, if they could receive, approximately, \$6 per ton at the Pittsburgh field, they would be satisfied.

Say that the import price is \$3 a ton and that \$1.50 is the tariff rate. That makes \$4.50. The freight rate is at least \$1.50 from England to Pittsburgh, Pa. That makes \$6. The statement that I made is this—and I notice it has not been refuted—that these fluorspar mines in my own State never did close up. The Senator from Illinois is mistaken. The fluorspar mines owned by Blue & Nunn, practically all of them in Kentucky, were operated all the time, and were operating when they came here to appeal to Congress to give them this rate of tariff. They only asked for \$1.50 a ton, but the Senate was overgenerous with them and made the rate \$3 per ton. Now, the House merely put that rate back to \$1.50, not for the purpose of protection, but for the purpose of revenue, and that alone.

Mr. BRADLEY. Mr. President—

The VICE PRESIDENT. Does the junior Senator from Kentucky yield to his colleague?

Mr. JAMES. I do.

Mr. BRADLEY. I desire to correct my colleague in his statement as to nobody asking for \$3 a ton duty, but only a dollar and a half.

Mr. JAMES. The Senator misunderstood me. I stated that in the House they asked for a duty of a dollar and a half a ton.

Mr. BRADLEY. Oh!

Mr. JAMES. At the time the Payne bill was framed and passed the House they got exactly what they wanted.

Mr. BRADLEY. I wish to say in that connection that I received quite a number of communications and talked to quite a number of people who were interested in the bill of 1909 who insisted that the amount fixed by the House was too small, and that they should have \$3 a ton, and that \$3 a ton was given to them by reason of an effort that I made in the Senate.

Mr. JAMES. That is true. I admit the statement of the Senator that it was through his influence that this rate was written into the law. I know that they appealed to the Senator and they petitioned him, and that they petitioned and appealed to me. If there is one class above another in all Kentucky for whom I have a genuine affection it is these men who own the spar mines. I grew up with them; I was a schoolboy with them. But I say this rate is a just rate, and their mines will not have to go out of business.

Mr. BURTON. Mr. President, I dislike to differ from my friends the Senators from Kentucky and the Senator from Illinois. If this bill were framed upon a different principle I might not take the view which I now take, which is that if the proposed legislation is to be consistent, if the pending bill is to be fair and equal to all commodities and all localities, there should be no duty on fluorspar.

It will be noticed that the proposition of the bill is for a duty of \$1.50 a ton, which is 54 per cent on the invoice price. As regards the quantity used, it is for the most part utilized in the manufacture of open-hearth steel.

Let us notice now some other duties on articles of similar use. Iron ore is on the free list, although there has existed a duty for scores of years. Probably my own city and my own county are more interested in that commodity than any other portion of the United States; but I want to say that the owners of the iron-ore mines have acquiesced in the removal of that duty, or at least the most of them have. Coal is free from duty. Coke is free from duty. So are scrap iron, scrap steel, pig iron, and ferromanganese. Not even the most finished watch has a duty of more than 30 per cent, and yet on this article of fluorspar a duty of 54 per cent is levied. Where is the justice in that? How does that compare with the rest?

But it is said that it is for revenue that the duty is levied. Mr. President, I do not think there could be a more conclusive argument that revenue duties should be levied only on non-competing products than this item. The moment you levy duties on competing products you throw the door wide open for discrimination and unfairness to different portions of the country—most unconscious discrimination, no doubt.

Mr. JAMES. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Kentucky?

Mr. BURTON. Certainly.

Mr. JAMES. Do I understand the Senator now to be opposing the rate of \$1.50 a ton?

Mr. BURTON. I say if this bill is consistent, if the proposed legislation is consistent, if this item is squared with other items in the bill, there ought to be no duty.

Mr. JAMES. I merely desire to direct the attention of the Senator to the fact that he voted for a duty of \$3 a ton four years ago when the Payne-Aldrich bill was under consideration.

Mr. BURTON. Mr. President, I do not know how I voted. If I had noticed this item four years ago, I certainly should have criticized it, just as I did tungsten and a number of other items of that nature. I voted for the Payne-Aldrich bill. There is no doubt of that; but I do not recall this item.

Mr. JAMES. The Senator voted for the bill, and it was up before the conference, too, and the Senator made no objection.

Mr. BURTON. The Senator from Kentucky can not in any way prevent me from arguing as to what is a proper principle by saying: "Oh, you did something four years ago that is inconsistent with what you are doing now." If this rate of \$3 was in the Payne-Aldrich law, and it is there, it was one of the worst blemishes on the bill.

I was just saying that, most unconsciously, those who frame tariff bills, where they levy duties for revenue on competing articles, some of which are produced at home and some abroad, exercise partiality for their own locality. Here is fluorspar, an article competing with the foreign product. There is wool; there is iron ore; there is sugar—all in the same category. If you are levying duties for revenue, why do you put a duty of 54 per cent on fluorspar, the product of Kentucky and Illinois, and remove every dollar of duty from wool? Could you not get a far greater revenue from levying duties on wool? Further, fluorspar is a product of only Kentucky and Illinois, while there is not a single State in the Union on whose hills sheep may not be found. If you are after revenue, why do you not pursue the course that we have been pursuing these 16 years and continue the duty upon sugar? Why do you with ruthless hand take off all these duties and leave 54 per cent—about the highest duty in the whole bill—on fluorspar, a raw material?

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. I do.

Mr. BRISTOW. I think there was a higher duty on dextrine. Mr. BURTON. Possibly there was. This is the highest one I have noticed.

The Senator from Kentucky [Mr. JAMES] yesterday said he thought gypsum ought to be on the free list. I was very much pleased with the remark of the Senator from Mississippi [Mr. WILLIAMS], in treating of gypsum, when he said that if there were a great supply up there in Nova Scotia that you could pile right on board the boat—perhaps he did not use so inelegant an expression as that, but he meant a supply that was very near the coast—it was a dispensation of Providence that our people should get it so cheaply, and they ought to allow it to come in free. If fluorspar abounds in the dump heaps of Durham and Derbyshire, why should we not regard that as a dispensation of Providence, and admit it entirely free?

The freight rate is a considerable protection to the domestic product. The ocean freight from the port on the other side, where it is invoiced at \$2.78 could not be less than \$1. At any rate, it would not be so low as that except for the fact that heavier freights go eastward, and they can carry westward loads of large bulk at a cheaper price, and this article might perhaps be carried as ballast. But it is evident that there is a joint or combination rate, steamship and railroad, to Pittsburgh. The railroad rate from Baltimore or Philadelphia to Pittsburgh, I take it, would be \$2 or \$2.50, and the total separate rates, \$3 to \$3.50. The Senator from Pennsylvania [Mr. OLIVER] can tell more about that than I can. What would be the rate from Baltimore or New York or Philadelphia to Pittsburgh?

Mr. OLIVER. I think the rate from Baltimore or Philadelphia or New York to Pittsburgh would not be less than \$2.50 a ton; but I have no doubt that there is a through combination rate that would make it very much lower.

Mr. BURTON. I want to say to the Senators who have argued so earnestly on behalf of this article that if they really want to gain an advantage for their product, the best way for them to do is to advocate the abolition of these combination rates, both on imports and on exports. Suppose it did cost but \$2.78 at the seaboard in Great Britain, after having been shipped from Derby or from Durham. If the freight tariffs were fixed in the same manner that they are in this country, the freight rate would make it cost per ton at least \$6.28 at Pittsburgh. Then, again, there is a very large area near the localities where this fluorspar is mined in which the demand will increase, because the center of iron and steel production is going westward. This area belongs to the domestic producers without duties.

In looking over the hearings, and noting the questions which were asked by the Democratic members of the Committee on Ways and Means, it seemed to me they were very decidedly unfriendly to any duty on fluorspar; and it seems to me they were right in manifesting that unfriendliness, because this duty

of \$1.50 is entirely inconsistent with the rest of the bill. It is altogether out of keeping with the other rates which are fixed.

Mr. STONE. Mr. President, before the Senator sits down I should like to ascertain definitely whether he favors putting fluorspar on the free list?

Mr. BURTON. Mr. President, if you are going to pass this bill, if you are going to have the rates in it as they are fixed here, I should favor placing it on the free list. I very likely shall introduce no amendment, because it would be useless; but, as I have just said, it is quite out of keeping with other items in the bill.

Mr. STONE. Aside from whether we pass the bill or not, but confining himself to the merits of the single matter of fluorspar, would the Senator favor putting fluorspar on the free list in any bill?

Mr. BURTON. That is an academic question. It can not be answered by "yes" or "no." It would depend upon the general policy you are adopting. If there were a policy of protective duties, there would be grounds for imposing some duty upon it, although its bulk is such that there is a very good protection resulting from freight rates.

Mr. STONE. The senior Senator from Kentucky [Mr. BRADLEY] favors a duty of \$3 a ton on fluorspar. The senior Senator from Ohio [Mr. BURTON], who is entitled to enter without challenge the sanctum sanctorum of Republican councils, thinks it ought to be on the free list. There is a house woefully divided against itself; and you know the old and true adage that such a house rarely stands.

Mr. BURTON. Evidently you are afraid it will stand, because on the other side there is no such thing as individual judgment, no such thing as independence, but instead the solid array of Members bound by a caucus, where each man assigns his mentality, his judgment, to the caucus and votes accordingly. I do not think I need apologize because I differ somewhat from some of my colleagues on a tariff schedule. I have differed in this respect, and I am ready to differ again. I think that is the right principle, the one that should prevail in representative government, and which should prevail especially in this Senate, where each Senator has his own responsibility, and should not turn that responsibility over to a binding caucus.

Mr. WILLIAMS. Mr. President, to surrender one's "individuality"—that is to say, one's opinion concerning an import duty here and there—to a caucus of one's party seems to be a mighty reprehensible thing; but to surrender one's "individuality" to a chairman of a Finance Committee—an ex-Senator from Rhode Island—seems to be a thing not reprehensible. With the exception of a very few Members on that side, and the so-called "Progressives," they voted with one voice against every amendment opposed by the late Senator from Rhode Island and for every amendment advocated by him.

That has nothing to do with this particular matter. I have a good deal of sympathy with some things that have just been said by the Senator from Ohio [Mr. BURTON]. Here is a product of very great value and very great importance in the manufacture of metals. The Englishman who is manufacturing these metals in competition with the American who is doing the same thing gets it at two dollars and seventy-odd cents per ton, whereas the price in America is \$7.02 per ton. In other words, the American manufacturer who uses this article in the various processes of metal manufacturing is at a disadvantage of about four dollars and a quarter per ton in his use of the product. This duty is a singular instance of the unfairness and viciousness of a protective duty.

I want to show how the American price was reached by tariff process, and here it is: The invoice price of the foreign product f. o. b. is \$2.78 per ton. The duty is \$3 per ton. The freight, even in ballast, is \$1 per ton. All these, footed up, come to \$6.78. If the foreigner made 10 per cent profit, 67 cents is to be added to that. That makes a total of \$7.45 per ton laid down in our port of entry on the seaboard. Nothing at all is added in this calculation for freight to the interior. The domestic producer simply fixed his price at \$7.02 so as to fall under any possibility of the foreign producer bringing the stuff over and selling it at a profit wherever freight rates were equal or even 43 cents per ton less for the foreigner than for him; and as far as his calculation was correct he probably succeeded. He succeeded very largely, because it is shown that we imported only 22,500 tons, in round numbers, and we produced 87,000 tons plus, in round numbers. That is, four times as much.

If we now reduce the duty to \$1.50 per ton, the figures will read thus: For the foreigner, \$2.78, invoice price, f. o. b.; \$1.50 duty; \$1 freight; total, \$5.28; 10 per cent profit, 52 cents; total, \$5.80. So that even if the senior Senator from Kentucky was correct in saying that it costs about \$4.85 to \$5 per ton to mine

it—and the junior Senator from Kentucky says that he is just about 50 per cent wrong in that, and that it costs only about \$2.50—there is still an advantage in cost of production in favor of the domestic producer of 80 cents per ton, or if we allow the home producer 10 per cent profit, making a total cost for him at the mine, plus the profit, \$5.50, then an advantage of 30 cents per ton, without counting the freight rates either way.

This is the calculation of the cost of the foreign product plus the profit at the port of New York, or at any other port of entry, whence it has to be sent to Pittsburgh or other places where it is used in these various processes of metal manufacture, and the calculation of the cost of mining plus the same profit at the mine in the United States. So there is an advantage in the cost price at the mine, even if it costs \$5 per ton to mine it, of 30 cents over the cost price of the foreign product at the port of entry.

If the junior Senator from Kentucky be correct and the mining cost in Kentucky be \$2.50 per ton, then the American producer has an advantage by force of the tariff of \$2.80 per ton.

They struggle for the interior against one another, even with a duty of \$1.50 a ton, possessing an advantage of 30 cents a ton, even on the contention as to cost made by the senior Senator from Kentucky. If there be any disadvantage to the American mine owner, it is one growing out of freight rates. In that case his remedy is to be sought before the Interstate Commerce Commission and not here.

Mr. BRADLEY. Mr. President, I want to see if I can get the estimate of cost, as between my colleague and myself, in some sort of shape. I understand my colleague to say that the cost of mining fluorspar is \$2.50 a ton. The cost of transporting it by wagon to certain points down there is \$2 a ton. That makes \$4.50. The freight rate to Pittsburgh is \$2.50. That makes \$7. Now, turning to the other side, I understand the chairman of the committee to say \$2.78 is the invoice price. The ocean freight rate is \$1, making \$3.78; and the rail rate to Pittsburgh is about \$1, making \$4.78.

Mr. BURTON. If the Senator from Kentucky will allow me to interrupt him, there must be a combination rate between the ocean carrier and the railway domestic carrier. It certainly would not be less than \$2 from the Atlantic seaboard in our country to Pittsburgh.

Mr. BRADLEY. Then let us take that estimate, which makes \$5.78.

Mr. BURTON. I will say to the Senator from Kentucky that I do not wish to be misunderstood. It is probable that there is a combination ocean-and-rail rate, which is less than the aggregate of the total.

Mr. BRADLEY. That is my idea.

Mr. SHERMAN. A joint rate.

Mr. BRADLEY. That would give the foreign product the advantage of from \$1.22 to nearly \$2 over the home product.

The Senator from Ohio [Mr. BURTON] undertakes to mix up fluorspar with wool. I think his mind runs principally on wool as being a product that should be protected. In other words, the wool has been pulled over his eyes. There is just about as much resemblance between fluorspar and wool as there is between a cross-cut saw and a pump handle. [Laughter.] Wool is not piled up on some foreign shore where it has been for 100 years and can be shipped into this country without any cost of production. Fluorspar is piled up where it can be shipped into this country without any cost of production. It seems to me the illustration of the Senator from Ohio is peculiarly unfortunate.

Another thing: As my distinguished colleague says, I can not for the life of me understand why when the present law passed in 1909 with a \$3 rate of tariff on fluorspar there was no word of protest from the Senator from Ohio, either when the bill came up for its passage or when the item came before the Senate, whereas now he comes before the Senate with the statement that even \$1.50 duty is too much, and undertakes to twit the other side because they do not make it free. Here are 700 or 800 men employed in Kentucky alone whose wages depend upon this business, at an average of \$1.75 to \$2, I believe my colleague states.

Mr. SMITH of Michigan. Mr. Nunn says \$2.50.

Mr. BRADLEY. Two dollars and a half, which makes it still more important.

I will say that I have been a very modest Member of this body. There has been a great deal of talking done since this special session commenced, and I have not said anything until to-day, and I think this is my day to shine. [Laughter.] I want to have some sort of chance, and I am not prepared for this sudden departure on the part of the distinguished Senator from the State of Ohio.

Here is the testimony of Mr. Nunn as to wages:

As we see it, the imposition of that duty hurts no one. It has been the means of saving the industry in America. It has had this further effect: There are some 600 or 700 men employed in our county and in that district. Before 1909 they were getting from \$1.50 to \$2 per day wages. The average wage there now, not counting foremen, is about \$2.50. It had the further effect of increasing the production of American fluorspar from 35,000 tons in 1908, I think, to 87,000 tons in 1911.

Mr. Nunn does not say the industry can live on \$6 per ton in Pittsburgh, but that amount f. o. b. the cars in Kentucky.

I insist, Mr. President, that we should not give the foreigner this great advantage over this American product. The foreigner did not develop the value of this article. It was American enterprise that found out what fluorspar was good for. It was American enterprise that made it valuable. Up to that time we had no competition abroad. After our people had studied out this problem and developed it these people abroad leased those dump piles and are attempting to and are bringing them here and dumping them down and destroying American labor and a great American enterprise.

I insist that the duty of \$3 now is just as proper as it was in 1909, and that the Senator from Ohio who voted for it then can not consistently vote against it now.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BRADLEY].

Mr. BRADLEY. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. COLT], and therefore withhold my vote. If allowed to vote I should vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOR], and I therefore withhold my vote.

The roll call was concluded.

Mr. SUTHERLAND. I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and therefore withhold my vote.

Mr. CHILTON. I have a general pair with the junior Senator from Maryland [Mr. JACKSON], which I transfer to the junior Senator from Arizona [Mr. SMITH] and vote. I vote "nay."

Mr. BANKHEAD (when his name was called). I have a general pair with the junior Senator from West-Virginia [Mr. GOFF], who is absent, and I withhold my vote.

Mr. SAULSBURY. I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Oklahoma [Mr. GORE] and vote "nay."

The result was announced—yeas 16, nays 60, as follows:

YEAS—16.

Bradley	Dillingham	Oliver	Sherman
Brandeggee	Gallinger	Page	Smith, Mich.
Catron	Lodge	Penrose	Smoot
Clark, Wyo.	McLean	Perkins	Warren

NAYS—60.

Ashurst	Hughes	Nelson	Simmons
Bacon	James	O'Gorman	Smith, Ga.
Borah	Johnson, Me.	Overman	Smith, Md.
Brady	Johnston, Ala.	Owen	Smith, S. C.
Bristow	Jones	Pittman	Stoner
Bryan	Kenyon	Polindexter	Swanson
Burton	Kern	Pomerene	Thompson
Chamberlain	La Follette	Ransdell	Thornton
Chilton	Lane	Reed	Tillman
Crawford	Lea	Robinson	Townsend
Cummins	Lewis	Saulsbury	Vardaman
Fletcher	Lippitt	Shafroth	Walsh
Gronna	Martin, Va.	Sheppard	Williams
Hitchcock	Martine, N. J.	Shields	Works
Hollis	Myers	Shively	

NOT VOTING—20.

Bankhead	Culberson	Jackson	Smith, Ariz.
Burleigh	du Pont	McCumber	Stephenson
Clapp	Fall	Newlands	Sutherland
Clarke, Ark.	Goff	Norris	Thomas
Colt	Gore	Root	Weeks

So Mr. BRADLEY's amendment was rejected.

Mr. STONE. I will ask if the committee amendment on line 23 has been agreed to.

The VICE PRESIDENT. It has heretofore been agreed to.

Mr. LA FOLLETTE. I ask to have paragraph 78 passed over. I shall desire to offer some amendments to that paragraph later. I prefer not to offer them now.

Mr. THOMAS. Paragraph 78 was just considered.

Mr. LA FOLLETTE. It is the one we were just considering. We voted on adopting the committee amendment and I was simply giving notice.

The VICE PRESIDENT. The Chair will state to the Senator from Wisconsin that the committee amendment has been agreed to.

Mr. STONE. There was a committee amendment there, but it has been agreed to.

The VICE PRESIDENT. It has been agreed to.

Mr. LA FOLLETTE. My attention was diverted. I perhaps should have made my request before the amendment was agreed to. If it is necessary, I will ask for a reconsideration.

Mr. STONE. All right; there is no objection to passing it over.

Mr. BRANDEGEE. A parliamentary inquiry, Mr. President. I do not understand that the mere agreement to a committee amendment agrees to the paragraph at all.

The VICE PRESIDENT. The Chair does not so understand it, but the Chair did not want the Senator from Wisconsin to be under a misapprehension as to the action of the Senate.

Mr. STONE. I understand that when a paragraph has been disposed of and all amendments either agreed to or disagreed to the paragraph then itself is agreed to unless—

Mr. BRANDEGEE. If the Senator will look at the RECORD when the unanimous consent was given for the method of procedure under which we are operating, I think he will find it the other way.

Mr. STONE. Unless I understand a Senator requests to have a paragraph passed over, which has been done.

Mr. BRANDEGEE. I do not understand it that way.

Mr. STONE. If the Senator will wait until I am through, there would not be so much difference between us.

Mr. BRANDEGEE. I thought the Senator had finished. I will wait.

Mr. STONE. I said unless it was passed over by the request of a Senator, and then the agreement was that we might subsequently return to it. But tentatively it is agreed to, unless some one asks to have it passed over.

Mr. BRANDEGEE. I do not understand it so. Is the Senator finished now?

Mr. STONE. I have finished.

Mr. BRANDEGEE. My understanding of the matter is that there is no question of tentatively whatever about it; that by unanimous consent, although the paragraph has been read and the reading of the bill has been proceeded with, upon the request of a Senator at any time we shall return to that paragraph and amendments to it will be in order. If I am mistaken about it, I should like to have it cleared up now.

Mr. STONE. I did not say anything to the contrary.

Mr. BRANDEGEE. I understood the Senator's claim to be to the contrary, which was that the paragraph was subsequently agreed to unless a Senator announced that he would return to it.

Mr. STONE. No; I did not say that.

Mr. BRANDEGEE. The RECORD will show what was said by both of us. I, of course, may have misunderstood the Senator.

Mr. STONE. I did not say more than what I repeat, that if a Senator asks to have a paragraph passed over it will be passed over, and unless it is done then tentatively it is agreed to, with the right of any Senator afterwards to return to it. When I say tentatively agreed to, I mean that we ought to make some progress as we go along and have some kind of an understanding that paragraphs have been tentatively disposed of, or else we are reading to very little purpose.

Mr. BRANDEGEE. I think we are reading to very little purpose with the understanding that it is tentatively agreed to, and only tentatively, and may be recurred to at any time by request. However that may be, the Senator from Wisconsin has asked that this paragraph be passed over.

The VICE PRESIDENT. The Chair desires to make an announcement, which he thinks it would be well to look up. The Chair was under the impression that when we began to read the bill it should be read and amendments offered, and if a Senator requested that a paragraph should go over it was to go over. That has been the understanding of the Chair as to the agreement. He thinks it would be quite well to find out what the RECORD does say on the subject.

Mr. BRANDEGEE. I will abide, of course, as the Senate will no doubt, by what the RECORD discloses was agreed to on the request of the Senator from North Carolina, the chairman of the Finance Committee. There was some question about it at the time, I distinctly remember, and I ask, if it be within the possession of the Secretary to readily turn to what the agreement was, that it be now read to the Senate. I am no more interested in it than any other Senator, and I am just as much interested in it.

Mr. SIMMONS. There was no agreement at all. I tried to reach an agreement and failed, and I said that we would proceed under the rules of the Senate.

Mr. BRANDEGEE. Very well.

Mr. SIMMONS. And we have been proceeding under the rules of the Senate.

Mr. BRANDEGEE. Whatever was stated will be shown by the RECORD.

The VICE PRESIDENT. The Secretary will read from the RECORD what occurred.

The Secretary read from page 2951 of the RECORD of Wednesday, July 23, 1913, as follows:

Mr. SIMMONS. Mr. President, I have no sort of objection to agreeing that amendments may at all times be in order after action on committee amendments, but I would not desire to be a party to a unanimous-consent agreement which, in its effect, would make in order an amendment which otherwise would be contrary to the rules of the Senate. Furthermore, I think possibly we might have considerable controversy as to what we had agreed to, and, in that view, I withdraw my request and ask that we proceed under the rules of the Senate.

Mr. OLIVER. I call for the regular order, then.

The VICE PRESIDENT. The Secretary will proceed with the reading of the bill.

The next amendment of the Committee on Finance was to strike out all of paragraph 79 as printed in the House text in the following words:

79. Mica and manufactures of mica, or of which mica is the component material of chief value, 30 per cent ad valorem; ground mica, 15 per cent ad valorem.

And to insert in lieu thereof the following:

79. Mica, unmanufactured, valued at not above 15 cents per pound, 4 cents per pound; valued above 15 cents per pound and not above 75 cents per pound, 25 per cent ad valorem; valued above 75 cents per pound, 20 per cent ad valorem; cut mica, mica splittings, built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, 30 per cent ad valorem; ground mica, 15 per cent ad valorem.

Mr. GALLINGER. I notice that in this item the method that the majority adopted in making ad valorem rates instead of specific rates has been departed from to some extent. I should like to ask why it is that mica, unmanufactured, valued not above 15 cents per pound, is given a specific rate of 4 cents per pound, while other forms of the same material are given ad valorem rates? There must be some reason for it.

Mr. THOMAS rose.

Mr. GALLINGER. I will await a reply to my question if any Senator chooses to undertake it.

Mr. THOMAS. I thought the Senator had something more to say. The rate of duty, as stated by the Senator, is 4 cents a pound on mica, unmanufactured, and valued at not above 15 cents per pound. The schedule which has been reported is one which seems to be satisfactory to some of the manufacturers and to some of the producers. The general average of the price of mica, I think, last year was 17 cents; and it was thought under the circumstances that this, being an average duty of about 26.6 cents on mica of that value, would be less somewhat than the House bill and at the same time in keeping with what seemed to be the views of some of the manufacturers and some of the producers.

Mr. GALLINGER. The query still rests in my mind why a specific rate was put upon unmanufactured mica and an ad valorem rate put upon that same substance in other forms, like cut mica, mica splittings, and mica valued above a certain price. Why have one form of the product a specific rate and others ad valorem rates?

Mr. President, I want to ask further from the committee or the Senator having it in charge as to these rates. I remember that the Senator from North Carolina [Mr. SIMMONS], the chairman of the committee, joined with me on a former occasion in making quite a contest for adequate rates upon mica. It was produced in North Carolina and in New Hampshire, and for once we were in accord in our endeavor to get a protective rate upon it, or a rate that we thought would protect the industry.

I will ask some Senator—because I have not investigated it this year—whether or not the rates of this bill are satisfactory to the men who produce mica, and particularly to those in North Carolina, who have a much larger interest in it than New Hampshire or any other Northern State has?

Mr. SIMMONS. Does the Senator refer to me when he speaks about the Senator from North Carolina?

Mr. GALLINGER. Yes; I refer to the Senator from North Carolina, the chairman of the committee.

Mr. SIMMONS. When did I join the Senator? I have no recollection of ever discussing the question of mica with him.

Mr. GALLINGER. I am not quite sure whether it was in 1909, but I think it was.

Mr. SIMMONS. It was not. We did not discuss the question of mica in 1909. The Senator is mistaken about that. But I will answer the Senator—

Mr. GALLINGER. However that may be, I am not at all mistaken that the Senator evinced a very great interest in this product, as I did, and it was for the reason that it was produced in the State that the Senator so ably represents as well as in the little State of New Hampshire.

Mr. SIMMONS. Yes.

Mr. GALLINGER. And my only interest in it now is to ascertain (because I confess that my people have not written to me particularly about this item this year) whether or not these rates are adequate, in the opinion of the Senator from North Carolina, to protect the industry from foreign competition.

Mr. SIMMONS. It is not a question of protection at all, Mr. President.

Mr. GALLINGER. The Senator will excuse me again; I did not use the word "protect" in the sense of protection. What I meant was whether or not they would be able to continue, in all human probability, the mining of mica in competition with foreign countries.

Mr. SIMMONS. I will try to answer the Senator, at all events, without any evasion and with absolute frankness.

The Senator's first inquiry is why we have placed a specific rate upon the manufactured product and why we have placed an ad valorem duty upon another part of the product. I will state to the Senator that that was done at the suggestion of those who are familiar with the business as a necessary method in order to deal fairly with the different products, because of the great variation in the price of the raw material.

I would myself much prefer an ad valorem rate on all these; that is, the rate the House placed upon it; but there is as great a variation in the price of mica as in any product that is produced in this country. The price ranges all the way from about 7 cents a pound up to as high in some instances as 90 cents per pound, although the 90-cent rate is probably a rare rate. You could not fix an ad valorem with that great variation in price that would not discriminate in favor of one class and against another class.

If the Senator will just make a calculation, he will see that in those conditions an ad valorem applying to all the articles would result in discrimination. All the producers of mica who came before us emphasized that fact. They said whatever rates were fixed, on account of the great variation in the price of this product, it is necessary that we should resort to a compound rate, or rather to a rate partly specific and a rate partly ad valorem. It was done for that purpose in order to equalize the rates, and if the Senator will make the calculation, as I have made the calculation—I do not want to undertake to do it now—starting with mica valued at 7 cents a pound, and going up to 15, and then to 30, 40, and 50, and higher than 50, he will see that a flat rate will work discrimination. It was to prevent that that the rates have been so fixed.

Mr. GALLINGER. And the Senator thinks it would have been difficult, if not impossible, to have put a specific rate upon the other qualities of mica enumerated in the paragraph, does he?

Mr. SIMMONS. It would not have been impossible, but the manufacturers suggested that after we passed a certain rate we might reduce the ad valorem; and the Senator will see that we did that. After we passed a certain valuation—75 cents a pound, I believe—then we reduced the ad valorem.

Mr. STONE. Above 15 cents.

Mr. SIMMONS. Above 15 cents; yes. The Senator from New Hampshire will see when it is not above 75 cents a pound the duty is 25 per cent ad valorem, and when valued above 75 cents a pound, 20 per cent ad valorem. Then we put a different rate, a rate of 15 per cent, upon ground mica and 30 per cent upon built-up mica. In other words, the committee tried, after conference with the manufacturers, to get a schedule of rates, using the specific and the ad valorem, that would be just to all classes of this varying product.

I will state to the Senator that after we had had this conference with the manufacturers we asked an expert of the Government to work it out so as, so far as it was practicable, to bring about uniformity in the rates. This schedule is the result of the recommendation of an expert of the department. Whether he has worked it out right or not, I am not myself absolutely sure; but it was referred to him, and he did work it out in this way and said he had worked it out so as to bring about an equality of these rates as to the various grades of mica.

Mr. GALLINGER. The further question which I propounded was as to whether or not, in the judgment of the Senator or of the committee, the rates in the bill are adequate to develop and

protect this article against competition. We imported last year nearly a million and a half pounds of it, if I read the figures correctly, and there is a pretty pronounced reduction in the rates in this bill as against those in the existing law.

Mr. SIMMONS. Do I understand the Senator from New Hampshire as complaining that the rates are too low or too high?

Mr. GALLINGER. I was inquiring as to whether they might not be too low. For instance, the specific rate on the first quality is reduced from 5 cents to 4 cents a pound. That is a reduction of 20 per cent.

Mr. SIMMONS. I will simply say to the Senator that we thought that this rate placed it upon a fairly competitive basis. I do not think there is very serious objection made to this rate in any direction. I think it is a very fair rate.

Mr. GALLINGER. I am glad to hear that from the Senator.

Mr. SIMMONS. There are already, as the Senator knows, considerable importations of this article.

Mr. GALLINGER. A million and a half pounds last year.

Mr. SIMMONS. Yes; there are considerable importations of it; but it is now not upon a thoroughly competitive basis, and I think these rates will adjust it so that it will be put upon a fair competitive basis.

Mr. GALLINGER. Before I take my seat I want to assure the Senator from North Carolina that I intended nothing invidious in suggesting that he and I on a former occasion were both interested in this item. It may be that it was in private conversation, rather than in debate in the Senate; but I do know the fact that we did confer about it. Although the industry is small in my State, yet our prosperity is made up of small industries, and I simply wanted to be assured that the rates were fair and that the reduction would not result in wiping out that little industry which we have in New Hampshire.

The explanation of the Senator of the necessity for making a specific rate on one class of mica and ad valorem rates on the other classes is not quite so clear to my mind as it might be, but I will take the Senator's word for it and believe that it is the best arrangement that under the circumstances could have been made.

Mr. SMOOT. Mr. President, there are some inconsistencies in this paragraph, and I desire to call the attention of the Senate to them. The present law provides:

Mica, unmanufactured or rough trimmed only, 5 cents per pound and 20 per cent ad valorem; mica, cut or trimmed, mica plates or built-up mica, and all manufactures of mica or of which mica is the component material of chief value, 10 cents per pound and 20 per cent ad valorem.

In other words, the law to-day provides that the duty on unmanufactured mica, irrespective of value, shall be 5 cents per pound and 20 per cent ad valorem. The equivalent ad valorem is 35.47 per cent. The Democratic members of the Finance Committee report the bill to the Senate with this provision:

Mica, unmanufactured, valued at not above 15 cents per pound, 4 cents per pound.

The Senator from North Carolina says that the value of mica is from 7 cents up to 90 cents per pound. The value of the great bulk of mica produced in North Carolina is from 5 cents to 17 cents per pound. Now, let me call the attention of the Senate to what the rates will be under the amended bill. Mica valued at 5 cents a pound under this bill carries 80 per cent; mica valued at 6 cents per pound, nearly 70 per cent; mica valued at 7 cents a pound, nearly 60 per cent; mica valued at 8 cents a pound, 50 per cent; and mica valued at 9 cents per pound, 44 per cent.

Mr. SIMMONS. Will the Senator work that out on the Payne-Aldrich rate of 5 cents per pound plus 20 per cent ad valorem? Suppose the Senator pursues the same method of calculation and takes mica valued at 5 cents a pound and applies the present rate, which is 5 cents a pound plus 20 per cent ad valorem, and the rate, I think, will be 120 per cent.

Mr. SMOOT. There is no need of my figuring that out. The Senator has already done that many times, I take it for granted. As the bill passed the House it read in this way:

Mica and manufactures of mica, or of which mica is the component material of chief value, 30 per cent ad valorem; ground mica, 15 per cent ad valorem.

The House simply carried out their policy in this paragraph, the same as they have done generally, providing for ad valorem rates; but when the bill comes to the Senate the rate is changed on all mica valued at less than 15 cents a pound.

Again, Mr. President, the pending bill provides:

Cut mica, mica splittings, built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, 30 per cent ad valorem.

Under the present law the rate is 10 cents per pound and 20 per cent ad valorem, or an equivalent ad valorem of 30.97 per cent.

Mr. LODGE. Mr. President, if the Senator from Utah will permit me—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. LODGE. I hope the Senator from Utah does not intend to criticize adversely the return to the specific duty, because the Senator from Utah is as well aware as I am that the whole tendency of all the best economists and financiers of the world is to have specific duties wherever possible. I think in the tariffs of Germany and France there are nothing but specific duties; and it is pleasant to see this bill, which proceeds in exactly the opposite direction by imposing ad valorem, in the case of mica returning to the system which the world at large believes to be the soundest system.

Mr. SMOOT. I will say to the Senator that I have made that statement on the floor of the Senate quite a number of times in relation to specific and ad valorem rates.

The duty on ground mica is placed at 15 per cent ad valorem by the Democratic bill. That is a new provision. It has always come into this country, if at all, as a nonenumerated article at a rate of 20 per cent. I simply want to congratulate the producers and manufacturers of mica in the United States on being taken care of under this bill.

Mr. PENROSE. Mr. President, I desire to ask the Senator from Utah if he also extends his congratulations to the consumer?

Mr. SMOOT. Mr. President, in the case of mica, as with a great many other items in this bill, the consumer will never know that the rates have been changed. The reduction will never reach him, but it will be "lost in the shuffle."

Mr. SIMMONS. Mr. President, we have this situation: The Senator from New Hampshire is complaining that the rate on mica is too low, and we have the Senator from Utah complaining that the rate on mica is too high.

Mr. SMOOT. No, Mr. President; the Senator is wrong when he says that I have complained that the rate is too high. I was congratulating the producer in this country on being given a rate that at least would protect him. The equivalent ad valorem on manufactured mica under the present law is 30.97 per cent, and this bill provides 30 per cent; so he is pretty well taken care of.

Mr. SIMMONS. Mr. President, there is no question about the fact that the 30 per cent ad valorem rate fixed by the House would discriminate in favor of the high-priced mica against the low-priced mica, and it was that situation with which the committee had to deal. It was a fact that was brought to our attention by all the dealers in the country.

As I have said, this rate was fixed not so much by the committee, although they assented to it, as it was by a Government expert under the direction of the committee so to adjust these rates as to bring about equality and uniformity of taxation. We did not feel that we were bound by the House rate in this matter, as we have not felt we were bound by the House rate in other matters. Neither did we feel that we were bound by the present rate. Undoubtedly, Mr. President, this rate is a very great reduction from the present law, and undoubtedly as applied to the whole paragraph it is a reduction from the House rate also.

Mr. SMOOT. Mr. President, since he has made that statement, I want to ask the Senator a question. The bill provides:

Cut mica, mica splittings, built-up mica, and all manufactures of mica or of which mica is the component material of chief value, 30 per cent ad valorem.

Is that a great reduction from the rate provided in the present law?

Mr. SIMMONS. I was not speaking about any particular bracket in the paragraph, but I was speaking about the whole paragraph; and, taking the whole paragraph together, I say it is a very great reduction from the present law and a slight reduction from the House bill.

Mr. SMOOT. I wish to ask the Senator how many pounds of mica valued at above 75 cents a pound are produced in the United States?

Mr. SIMMONS. How many pounds of mica?

Mr. SMOOT. No; of mica valued at above 75 cents per pound.

Mr. SIMMONS. Oh, I can not answer that.

Mr. SMOOT. The amount is so infinitesimally small that it is not worthy of consideration. It is true that that grade of mica has been reduced to 20 per cent from an equivalent ad valorem of 25 per cent, but it cuts no figure whatever in the protection of mica in this country. I am speaking now of the great product that comes under this paragraph as a whole, and I ask the Senator if there is a reduction from the present rate on cut

mica, mica splittings, built-up mica, and all manufactures of mica or of which mica is the component material of chief value?

Mr. SIMMONS. Mr. President, the Senator takes the whole paragraph to get his 37.59 per cent average under the Payne-Aldrich law, and now he wants me to take one bracket and tell him whether that one bracket is more or less than the average upon the whole. If the Senator had waited I was going to say that upon mica worth less than 13 cents a pound the rate in the Senate amendment to this bill is a little bit higher than the House rate, but above 13 cents a pound the rate is lower than the House rate. The Payne rate on mica worth 5 cents is 120 per cent; the Payne rate on mica worth 10 cents is 70 per cent; the Payne rate on mica worth 15 cents is 43.20 per cent; all of which, of course, are very much higher than the general average which was 37.59 per cent in 1910 and 34.63 per cent in 1912. When you go above that to the higher grades, the rate on mica on a higher unit of value has been reduced. We slightly increase the rate on micas valued below 13 cents from the House rate, but on the higher units of value it has been reduced, and on mica averaged above 75 cents per pound the reduction is one-third of the rate established by the House bill, or a reduction of from 30 per cent to 20 per cent ad valorem. Thirty per cent on all grades as fixed by the House, as I have said, would be a discrimination against the lower-priced micas.

Mr. SMOOT. Mr. President—

Mr. GALLINGER. Will the Senator yield to me for a moment?

Mr. SMOOT. I yield to the Senator.

Mr. GALLINGER. I trust the Senator from Utah will not make a serious assault upon the rates provided in this bill for mica. We are importing now twice as much as we produce, and I think our mica miners and producers ought to have a fair show.

Mr. SMOOT. So do I.

Mr. GALLINGER. And I am afraid they are not having it.

Mr. SIMMONS. I want to say to the Senator from New Hampshire that what the House was seeking to do was to bring about a competitive basis. The House evidently thought 30 per cent was a competitive basis. Thirty per cent was a flat rate, and we did not think that flat rate could be levied on all of the items in this paragraph with justice to all the items of the paragraph, and we sought to overcome that difficulty. But we have not sought to materially raise or to materially reduce the House rates. As a matter of fact, we have slightly reduced the House rates, if you take all of them.

Mr. GALLINGER. But it strikes me that under the existing law, when we are importing twice as much as we are producing, we have very serious competition now.

Mr. SMOOT. Mr. President—

Mr. SIMMONS. Oh, a great deal of the imported mica does not come in competition with the mica here.

Mr. SMOOT. That is what I was going to say to the Senator. The Senator has already admitted it, and of course I entirely agree with him. I wish to say to the Senator that the high-priced mica is a class of mica that does not come in competition with the mica produced in the United States. That is why we find in this bill a reduction from 30 per cent to 20 per cent. The reason the reduced duty is levied on mica worth 75 cents a pound and over is because no such mica is produced in this country to any great amount, or, in my humble opinion, it would have been shut out just exactly the same as the lower-priced mica is.

I am not complaining of the 30 per cent rate imposed. I do not want our Democratic friends to think I am criticizing the rate that is in the present law. I only want to compare it and to ask why mica should be protected and nearly every other item in the bill reduced. There is some reason for it, and I should like to know what it is.

Mr. STONE. I should like to ask my friend from Utah what is the real burden of his complaint here as to the rate on the lower grade of mica. Does he think it is too high or too low?

Mr. SMOOT. I have already congratulated the Democratic members of the Senate Committee on Finance on making a change from the House bill and at least protecting mica that is produced in this country. It is a protection. It is not for revenue. It is a protective rate.

Mr. STONE. Why does the Senator think it is a protective rate? And if the Senator thinks this is a protective rate, why did he want to put it several times as high when he helped to frame the Payne-Aldrich bill?

Mr. SMOOT. Mr. President, in the Payne-Aldrich bill the values are not divided. Under the present law it is all unmanufactured mica and it all carries the same rate, whether

it is 75 cents a pound or whether it is 5 cents a pound. The rate on all grades is 5 cents a pound and 20 per cent ad valorem.

The Senator asks me why I think this is a protective rate. I think any rate that is 80 per cent and 70 per cent and 60 per cent is a protective rate on a product that is easily dug from the ground.

Why, Mr. President, I believe the Senator from Missouri was a member of the subcommittee that had the woolen schedule under consideration. Woolen cloth is an article that is made from raw wool and put through at least 50 processes before reaching the finished stage, and you only put upon woolen cloth a duty of 35 per cent. Here is a product that is produced in North Carolina from the ground, and many of the manufacturers of this country call raw material, and we find on some of it a rate of 80 per cent, on some of it a rate of 70 per cent, and on some of it a rate of 60 per cent, whereas the finest, highest-priced, and most highly finished woolen cloth made in all the world enters into the United States at the rate of 35 per cent.

Mr. THOMAS. Does the Senator complain that this rate does not apply to the woolen schedule? Is that the complaint the Senator makes?

Mr. SMOOT. Oh, no, Mr. President. I was asked why I thought this was a protective rate, and I simply told the Senator why I thought so. Then, in comparison with this rate, I called the attention of the Senator to Schedule K and spoke of the difference as to producing one from the earth and the other through a great process where it takes at least 50 processes from the raw wool to the finished cloth, and on that you provide a duty of only 35 per cent.

Mr. THOMAS. Does the Senator desire to propose an amendment to this paragraph reducing the duty?

Mr. SMOOT. No; I am calling the attention of the Senate to the rates provided on mica, and I have congratulated my Democratic friends that at least there is one industry in this country that has been protected.

Mr. THOMAS. Mr. President, it seems to me that the statements of the Senator involve an admission that the rates in the present law are prohibitive and not protective in regard to this product. He says this is a protective duty, and yet we find that in the item of mica that can compete with the United States there is a large importation under the present law.

Here is the reduction as between the Aldrich bill and the present bill in cents:

On mica at 15 cents per pound there is 8 cents duty under the Payne-Aldrich bill, and a duty of 4 cents, just one-half, under this bill.

At 10 cents a pound the rate of the Aldrich bill would be 7 cents, and under this bill 4 cents.

At 5 cents a pound the duty under the Aldrich bill would be 6 cents, and under this bill 4 cents.

I understand that the cost of production, which, of course, has an influence, is somewhere in the neighborhood of 12 cents.

Mr. SMOOT. The Senator from North Carolina [Mr. Simmons] has just made the statement, upon the paragraph just before this, that the cost of production has nothing whatever to do with the rate that is provided.

Mr. THOMAS. I do not say it has anything in particular to do with the question of making this bill; but it has something to do with the cost of mica in this country, if it costs 12 cents a pound to produce, upon the theory that it would, at least, be sold for some small profit.

Mr. SMOOT. I welcome the Senator from Colorado into the ranks of those whose belief and theory of protection take into consideration the cost of producing an article in fixing a rate upon the article.

Mr. THOMAS. There is no theory about it. I am always very glad to say something that pleases my friend from Utah, but perhaps that pleasure will prove transient in the long run.

I have never pretended, and I do not think anyone else on this side has pretended, that, as a general proposition, if it costs 12 cents to produce something you are going to sell it for less than 12 cents unless you have to. What I want to say—and the reason why I alluded to this particular matter was for the purpose of emphasizing it—is that the average price of the American product is 17 cents, as shown by the reports of the Treasury Department. Consequently, that being the average price, there is a very large reduction upon the American product, notwithstanding the fact that it is still protected.

We find as another fact that the rate under the Payne-Aldrich law, although it is seemingly prohibitive, if we are to take the Senator from Utah at his word, is not prohibitive. It is to some extent competitive, because at least one-half of the amount of mica which is competitive in this country came here from abroad, as compared with the domestic product, in 1910. As

a consequence, if we are going to take item by item for the purpose of determining the reduction, it is very much more than has been stated by the Senator, and at the same time he says it is protective. Now, we find from the reports that this is a material in which there is competition, even under the present duty. The lowering of the duty, therefore, is not so great as it has been with reference to some other paragraphs, but still it is competitive.

Mr. SMOOT. I will ask the Senator, then, if he disagrees with the statement that was made by the Senator from North Carolina?

Mr. THOMAS. Not intentionally.

Mr. SMOOT. The Senator from North Carolina says that the mica that is imported into this country does not come in competition with the mica produced in the United States.

Mr. THOMAS. He says a great portion of it does not. The Senator knows that a great portion of it does not, and that was what the Senator from North Carolina said. On the other hand, the muscovite mica is the same as that produced here, and that is also imported from India. It is true that there are different grades and different classes; but that class is a competitive mica.

It seems to me the distinguished Senator from Utah is neither objecting to this duty nor is he at the same time disposed to regard it as anything but offensive. If he wants to offer an amendment to it, let us have it.

Mr. SMOOT. Mr. President, I am going to vote for the rates that are provided here by the Democratic members of the Finance Committee.

Mr. THOMAS. Then I will return the compliment to the Senator and welcome him to the fold.

Mr. SMOOT. I do not have to come to the fold. I have been there all the time.

Mr. MARTINE of New Jersey. Mr. President, I should like to know what is the question? What is the motion of the Senator? I think we ought to get to a vote on this item. We have talked mica incessantly for two mortal hours. What is the motion of the Senator from Utah? I should like to know.

Mr. SMOOT. Mr. President, does the Senator object to the further discussion of this paragraph?

Mr. MARTINE of New Jersey. It seems to me mica has been pretty thoroughly discussed. It is now 10 minutes of 6, and I think it has been thoroughly washed out.

Mr. SMOOT. If the Senator desires to have it go over and have it voted upon to-morrow, I am perfectly willing. I like to accommodate the Senator in any way possible.

Mr. MARTINE of New Jersey. As far as my own desire and convenience is concerned, I should be very well satisfied to have the Senate go into executive session and take up the matter to-morrow.

Mr. SMOOT. I am perfectly satisfied to do that, Mr. President.

Mr. THOMAS. No, Mr. President. We must ask for a vote on this paragraph before we pass from it. As far as the committee is concerned, I want to say to the Senator from Utah that there is no disposition whatever to limit the discussion.

Mr. JONES. Mr. President, I should like to ask the Senator from North Carolina a question. I understood from the colloquy that took place between him and the Senator from New Hampshire that this paragraph is arranged so as properly to care for or protect the mica industry, and that that was done deliberately.

Mr. SIMMONS. I did not say anything of the kind, Mr. President. I said this adjustment was made for the purpose of bringing about uniformity in the rates.

Mr. JONES. I understood the Senator from New Hampshire to ask the Senator from North Carolina if this duty properly cared for this industry, and the Senator from North Carolina said that it did.

Mr. SIMMONS. I said it was a fair and just rate, in my judgment, to bring about a competitive condition in this industry.

Mr. JONES. I wondered why the committee should be so solicitous about caring for the mica industry and yet be so careful about framing the tariff upon gypsum, plaster rock, etc., solely on the revenue basis.

Mr. SIMMONS. Mr. President, the committee has had in view, in all of its dealings with the tariff, the fundamental principle laid down by the House of Representatives, and accepted by us, that we would put the rates upon a competitive basis. As a matter of fact, when you get to this item in the bill, it appears that we have been importing about half a million dollars' worth of it, and have been producing about \$400,000 worth

of it; so there was not the necessity in this case of the extreme reductions that there were in cases where there were no importations at all, and where the present condition did not approach a competitive condition.

Mr. CLARK of Wyoming. Mr. President—

Mr. SIMMONS. Let me finish, and then I shall have said all I want to say about this matter.

The Senator from Utah attempts to convey the impression that the duties carried in the Senate amendment are higher than those carried in the House bill. He attempts to convey the impression that the Senate rate is but a small reduction from the duties of the Payne-Aldrich bill. As a matter of fact, Mr. President, it is a very considerable reduction from the Payne-Aldrich duties, and it is an average reduction of 25 per cent from the House rates.

The Senator has made a calculation and given it to the Senate. The Senator from Utah is not infallible. I have known the Senator from Utah to palm off on the Senate a great many statements and a great many calculations and a great many assertions that I did not think at the time represented the true facts of the situation.

In making the statement that the Senate rate is very much lower than the Dingley rate and lower than the House rate I am not relying upon any calculations that I have made in regard to the matter. I have here before me the calculations made by the expert who made these calculations for the House and for the Senate, upon which the House relied and upon which the Senate up to this time in the discussion has been relying. I want to give to the Senate the result of those calculations made upon this whole paragraph by this expert of the Government, who served here in this capacity when we were making the Payne-Aldrich bill, who served the House this year when they were framing the Underwood bill, and who served the committee when we were framing amendments to that bill. Here are the calculations, upon page 92 of this book.

In 1905, under the Dingley law, the average rate under this paragraph was 46.11 per cent. In 1910, under the Payne law, the average rate was 37.55 per cent. In 1912, still under the Payne law, the average rate was 34.49 per cent. The estimated rate for 12 months under the House bill is 29.88 per cent. The estimated rate for a 12 months' period under the House bill, as reported to the Senate and as amended, is 25.81 per cent, or a difference of about 4 per cent.

Mr. CLARK of Wyoming. Mr. President, I should like to ask the Senator where the mica is produced that comes under the high rate in this paragraph.

Mr. SIMMONS. I do not know.

Mr. CLARK of Wyoming. I ask for information.

Mr. SIMMONS. I do not know.

Mr. THOMAS. It comes from India.

Mr. CLARK of Wyoming. No; it can not be that, because it is less than 15 cents a pound. I am asking where the mica that calls for the high rate under this bill is produced.

Mr. STONE. It comes from Canada and Germany.

Mr. THOMAS. Does the Senator mean the imported mica?

Mr. CLARK of Wyoming. No; I am not speaking of imported mica or mica domestically produced. I am speaking of the mica that comes under the first clause, the "mica, unmanufactured, valued at not above 15 cents per pound." Where in this country is that produced?

Mr. THOMAS. It is produced in North Carolina, in New Hampshire, in Vermont, in Maine, and, to some extent, in South Dakota.

Mr. CLARK of Wyoming. I will ask the Senator from Colorado where the most of it is produced.

Mr. THOMAS. My impression is that most of it comes from North Carolina. There is no secret about that.

Mr. GALLINGER. I feel sure, Mr. President, that we are ready to vote on this paragraph.

Mr. STONE. Then let us vote.

Mr. SIMMONS. If the Senator means by that to imply that I had any part in it, he is mistaken. This matter was fixed up by an expert, and the Senator from Colorado [Mr. THOMAS] had charge of it.

Mr. CLARK of Wyoming. The Senator meant to imply nothing at all. The Senator merely made an inquiry for information, which has not been furnished any too freely thus far in this bill.

Mr. THOMAS. If not, it is simply because it has not been called for.

Mr. SMOOT. Mr. President, I wish to say that the expert that framed the provision in the House bill is the same identical expert that made the change in the Senate bill. How did it

happen, unless there was some reason brought to his attention, that the change was made?

I am not going over these figures in answer to the Senator from North Carolina, because I myself want to vote upon the amendment, and am ready to vote upon it now.

Mr. STONE. Let us vote, then.

Mr. SMOOT. But I do know—and it conforms to what the Senator from North Carolina says—that the duty on all micas under 13 cents a pound is advanced by the Democratic members of the Finance Committee of the Senate over the bill as framed in the House.

Mr. STONE. Oh, Mr. President, the Senator states that he "knows" that such things have happened, when the facts right here before his eyes show that everybody else should know to the contrary.

Mr. SMOOT. Mr. President, I will ask the Senator from North Carolina, then. Let him be the judge. I will let him pass upon it, and see whether the statement I made was not correct. Is it not true?

Mr. SIMMONS. I did not hear the Senator.

Mr. SMOOT. Is it not true that all micas under 13 cents a pound are advanced by the Senate over the rates on micas as provided for in the House bill?

Mr. SIMMONS. I stated a little while ago, and in my report I state that on micas valued at less than 13 cents the rate was slightly higher than the House bill, and above that the rate was materially lower than the House bill.

Mr. SMOOT. That is exactly what I said.

Mr. SIMMONS. The average rate is 5 cents less than the House bill.

Mr. STONE. The average rate of mica is 16 cents in the United States, and I wish to say it must follow as a commercial necessity that very little mica under approximately 10 cents a pound can be mined in foreign countries and packed and the duty paid and imported into this country.

Mr. SMOOT. There is no need of protecting it if that is the case, but I think there is. The Senator and I disagree there. I think the protection ought to be given, and I do not think it is too high upon that account. But when the Senator says that the figures prove that what I stated was incorrect he certainly is mistaken, and I will let the Senator from North Carolina answer. I do not think it is too high for a protective-tariff duty.

Mr. BRISTOW. The Senator from Wyoming asked a few moments ago as to where mica is produced. I happen to have the statistics here. Of the 49 mines in the United States reported in operation, there are located in North Carolina, 28; in California, 10; in South Dakota, 3; in Georgia, 1; in Maine, 2; in New Hampshire, 2; in Virginia, 2; in New Mexico, 1. The value of the commodity varies from 2 cents per pound to \$3 per pound.

Now, Mr. President, I want to vote on this question, but I just wanted to call the Senate's attention to the fact that upon this commodity, regardless of all differences of opinion as to whether the duty is 25 per cent or 80 per cent, everybody must admit that it is more than 25 per cent. It ranges probably from 25 per cent to 70 per cent on mica. It is a nonmetallic mineral or earth that is dug out of the ground.

On pumice stone the committee puts a duty of 5 per cent. On gypsum, which is a somewhat similar substance and secured in a similar way, which does not happen to be produced in Kentucky or North Carolina or Maine, the duty is 10 per cent. Fluorspar, that comes from the Ohio River on the Kentucky side and on the Illinois side, seems to require a duty of 50 per cent, while the Senator from North Carolina apparently is satisfied here with a duty of 30 per cent on mica. It is fortunate, indeed, for the manufacturers or producers of materials to be located in States that have able representatives upon the Committee on Finance. Their industries seem to fare well. It is unfortunate that the States from which the pumice and the gypsum come are not so ably represented upon that committee.

I simply wanted to call attention to the fact that this bill has not escaped the processes in construction that have been used in this country before, and which have been so vehemently criticized by different Senators upon this floor.

Mr. LA FOLLETTE. Rubber, for instance.

Mr. BRISTOW. Yes; I accept the suggestion as to rubber and a few other things; but I insist that it is not fair, it is not equitable, and it is not just to similar products to make such a wide discrimination as to the amount of protective duty that they shall have, and because mica happens to be produced in North Carolina or fluorspar in Kentucky that does not justify giving them a protective duty of from 30 to 50 per cent, while

pumice stone, which happens to be produced in Nebraska and Kansas, should be content with 5 per cent, and gypsum from Iowa with 10 per cent.

Mr. JAMES. I should like to ask the Senator from Kansas a question.

Mr. BRISTOW. All right. I will answer it if I can.

Mr. JAMES. Does the Senator believe the statement he made that we were giving to fluorspar produced in Kentucky a protective rate when the rate has been reduced from 107.94 per cent down to 50 per cent, when fluorspar—

Mr. BRISTOW. Ah!

Mr. JAMES. Just a moment—when fluorspar was bearing a rate of 107 per cent the importation was more than one-third of the total consumption in the United States? Does the Senator believe that such declarations as that, groundless as they are, to the effect that by reason of the fact that a Senator from Kentucky was a member of the Finance Committee and was responsible for placing a protective rate in the bill, when the bill originated in the House of Representatives with this identical rate, which was a reduction from 107 per cent down to 50 per cent, and where the importation was almost one-third of the total consumption in the United States, are fair to himself or to me?

Mr. BRISTOW. I think my friend the Senator from Kentucky was very considerate when he permitted the reduction to be made from 107 per cent down to 50 per cent. I think that that is a very much more satisfactory reduction than the reduction made on mica from 34 per cent down to 30 per cent.

Mr. JAMES. The Senator knew that before he made the other statement. Why did the Senator state that I as a member of the Finance Committee was responsible for placing a protective rate in this bill when the facts were in front of the Senator and the Senator knew the statement was not true?

Mr. BRISTOW. Because the Senator from Kansas thinks that 50 per cent is a very, very satisfactory protective rate on any commodity that is produced.

Mr. JAMES. But the Senator knew, because he heard the argument disclose the fact in the Chamber not an hour ago, that under a rate of duty of 107 per cent the importations of fluorspar into the United States was one-third of the total consumption of the article and produced a revenue of many thousands of dollars. So if a 107 per cent rate was not protective or prohibitive, how on earth could a rate of 50 per cent be so?

Mr. BRISTOW. Mr. President—

Mr. WILLIAMS. Will the Senator pardon me?

Mr. BRISTOW. Will the Senator just pardon me a moment? If the Senator from Kentucky [Mr. JAMES] thinks that the 50 per cent is not protective because there is an importation, let me tell him that there are many articles which are imported upon which high duties are imposed. Take lead and zinc. There are large importations of many metals, and a duty of 100 per cent would not prevent the importation of some articles. Simply because there is an importation is not a conclusive proof that a duty of 50 per cent is not a protective duty.

Mr. JAMES. I will state to the Senator that, so far as fluorspar is concerned, the warmest personal friends I have in Kentucky and in my home town have appealed to me and implored me to try to raise this rate from \$1.50 per ton to \$3 per ton, because unless it was done the rate now proposed of \$1.50 per ton would drive them out of business, and it would cause their mills to shut down. In the face of appeals and petitions I stood by the House rate. Yet the Senator would appear upon the floor and, for the purpose of making the character of argument he undertakes, say that I was trying to have a protective rate placed in this bill. If he will consult the Senator from Kentucky [Mr. BRADLEY], he will enlighten the Senator upon that proposition.

Mr. BRISTOW. I congratulate the Senator from Kentucky. I think he has been very generous. I have not been uttering any undue criticism against the Senator from Kentucky. I would not do that. I think he is a very—

Mr. JAMES. If the Senator will examine his remarks, he will in the sober second thought come to a different conclusion than the one he now arrives at—that he made no reflection upon the Senator from Kentucky.

Mr. SMITH of Michigan. Mr. President—

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. I do.

Mr. SMITH of Michigan. I have known the Senator from Kentucky [Mr. JAMES] for many years. I have had the pleasure of associating with him in public life, and I do him the credit of saying that, in my judgment, if he had not lived at Marion, Ky., the rate of duty on the product that is produced there,

which we have been considering, would have been higher than the rate now in the bill.

I think the Senator from Kentucky recognizes that the domestic industry in his own town, now in its infancy, is of such importance to his people that it really should have had better treatment than he in his position as a member of the Finance Committee could under party decree give it.

And in that respect, and I say it with the greatest kindness, he differs somewhat from my honored friend the chairman of the Committee on Finance. The Senator from North Carolina has many times during my service with him here gone out of his way to protect an industry in his own State. If he had not done so he would not have been worthy of the confidence of the people of his own State so often conferred, but the delicate regard for party consistency exhibited by the Senator from Kentucky toward an industry of comparatively recent origin in his home city is an unusual sight in this Chamber worthy of special note. He has taken the position that to be consistent he could not stand for a rate of duty on a product produced by his own friends at home which did not square with the principle upon which his bill is based, a false principle in my judgment and one that will bring ruin to established industry and check further industrial development here and stimulate growth and enterprise abroad, and in this general demoralization his local industry will suffer. Yet he is entitled to be respected for his consistency, and I honor him for it. I think he has been animated by the loftiest purpose and the purest motives in what he has done. Out of the wreck which is sure to follow the passage of this bill he would not be satisfied to emerge with a single Kentucky industry unscathed. In this respect he differs from some of his brethren of kindred faith who have already set their sails for a safe harbor in a threatening storm.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from North Carolina?

Mr. BRISTOW. I yield.

Mr. SIMMONS. Mr. President, I do not care to answer the remarks of the Senator from Michigan with respect to myself. I have not stood for protection upon this product. I have stood for the same ratio of reduction from the Payne-Aldrich rate upon this product that I have stood for upon every other product.

Now, the Senator is criticizing me because this lower-priced mica is produced in my State, and he claims that the rate is a little higher than the House rate. It is, I have stated frankly, where it is worth less than 13 cents a little higher. Where it is worth more than 13 cents it is very much lower than the House rate.

Mr. President, let us see whether we have made a reduction upon this paragraph in proportion to the reductions that we have made in the balance of the bill. Start with the low-priced ore that you say is produced in my State, 5 cents a pound. The rate under the Dingley law upon mica valued at 5 cents a pound is 120 per cent. The Senate committee amendment reduces that rate to the extent of 66½ per cent. The rate of duty under the Payne law upon mica worth 10 cents a pound is 70 per cent. The Senate bill reduced that rate 37.7 per cent. So the average reductions made upon this low-priced mica is much greater than the average reduction made either in the Senate bill or in the House bill.

Mr. BRISTOW. Mr. President, my friend from Kentucky [Mr. JAMES] seemed to think that I was reflecting on his integrity. I was not. I have not the slightest intention of giving him any personal offense. I want to assure him of that. I think that he is a very sincere man and genuinely in favor of everything on the free list that is practicable to be put on the free list. Nevertheless, the fact remains that on the fluorspar, which is produced in his vicinity, the duty remains 50 per cent, and I think it is a high protective duty. I voted against increasing it above that amount because I think that is enough. There might be instances where I would vote for a larger protective duty than that, but it would have to be a very strong argument to induce me to do it.

I was simply calling attention to some patent facts to show that this bill is framed by similar methods that other bills have been. It is not fair to certain sections of the country. It discriminates against their commodities while it abundantly protects those of other sections of the country. That fact will be demonstrated in every schedule as we go through them day by day, and I intend to call the attention of the country to these discriminations with all the emphasis that I can, and I hope that my Democratic friends will not think that such criticism of the measure is a personal attack upon them.

My contention is that in framing a great bill like this we should get away from local influences as much as we can. We

can not do it entirely, I know. Human nature is human nature; but we should certainly undertake to do it. I do not believe in carrying the Payne-Aldrich duties into this bill as was done in dextrine and then taking it off of other things that are just as worthy of consideration as dextrine.

Mr. GALLINGER. Mr. President—

Mr. STONE. Let us have a vote.

Mr. GALLINGER. Yes; if the Senator will just restrain his impetuosity a moment.

Mr. STONE. I beg the Senator's pardon.

Mr. GALLINGER. When I asked my simple question concerning mica I had not the least idea it would develop a discussion such as has ensued. I now simply want to say I am satisfied that the two little mines in New Hampshire—and they are insignificant affairs—will not suffer very much under the provisions of the bill as it came from the Senate committee, and I am prepared to vote for that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 40 minutes spent in executive session the doors were reopened, and (at 7 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, July 30, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate July 29, 1913.

CHIEF OF THE WEATHER BUREAU.

Charles F. Marvin, of the District of Columbia, to be Chief of the Weather Bureau of the United States Department of Agriculture.

COLLECTORS OF INTERNAL REVENUE.

Bernard M. Gannon, of New Jersey, to be collector of internal revenue for the fifth district of New Jersey, in place of Herman C. H. Herold, superseded.

Alexander Stuart Walker, of Texas, to be collector of internal revenue for the third district of Texas, in place of Webster Flanagan, superseded.

UNITED STATES ATTORNEY.

William H. Martin, of Arkansas, to be United States attorney for the eastern district of Arkansas, vice William G. Whipple, whose term has expired.

APPOINTMENT IN THE ARMY.

MEDICAL RESERVE CORPS.

Edward Mason Parker, of the District of Columbia, to be first lieutenant in the Medical Reserve Corps, with rank from July 28, 1913.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Simon P. Fullinwider to be a commander in the Navy from the 1st day of July, 1913.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1913:

William Norris, and

Adolphus Andrews.

Lieut. (Junior Grade) Robert V. Lowe to be a lieutenant in the Navy from the 15th day of June, 1913.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1913:

William B. Howe, and

Claude B. Mayo.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1913:

Robert A. Burg, and

Jules James.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 14th day of July, 1913:

Charles E. Treibly, acting assistant surgeon, United States Navy, and

Percy F. McMurdo, a citizen of Oregon.

Thomas A. Fortesque, a citizen of Pennsylvania, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 15th day of July, 1913.

James L. Manion, a citizen of Oregon, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 16th day of July, 1913.

POSTMASTERS.

ARKANSAS.

H. L. Fuller to be postmaster at Waldron, Ark., in place of M. B. Leming, resigned.

FLORIDA.

S. D. Bates to be postmaster at Marathon, Fla., in place of Elbert A. Froscher, resigned.

Al Hogeboom to be postmaster at Panama City, Fla., in place of Belle Booth, name changed by marriage.

IDAHO.

E. H. Hilton to be postmaster at Elk River, Idaho, in place of Walter E. Hood, removed.

ILLINOIS.

Charles F. Buck to be postmaster at Lacon, Ill., in place of Charles F. Hacker, resigned.

Harry B. Fasmer to be postmaster at Yorkville, Ill., in place of John R. Marshall, resigned.

John Geiss to be postmaster at Batavia, Ill., in place of Frank J. Hooker, resigned.

Clyde V. Greenwood to be postmaster at Sherrard, Ill., in place of George M. Bell, resigned.

W. T. Hollifield to be postmaster at Brookport, Ill., in place of John W. Black, removed.

Ross Lee to be postmaster at Casey, Ill., in place of John W. Hancock, removed.

J. M. Rumsey to be postmaster at Golconda, Ill., in place of William S. Jenkins, removed.

INDIANA.

Ernest E. Forsythe to be postmaster at Washington, Ind., in place of Benjamin J. Burris, removed.

IOWA.

Alfred B. Callender to be postmaster at Ocheyedon, Iowa, in place of Eunice A. Underhill, resigned.

John McGloin to be postmaster at Wall Lake, Iowa, in place of Charles B. Dean, deceased.

D. P. O'Connor to be postmaster at Lawler, Iowa, in place of William Lawrence, resigned.

Edwin Wattonville to be postmaster at Pomeroy, Iowa, in place of Malcolm Peterson, resigned.

KANSAS.

Sophia M. Dickerson to be postmaster at Gypsum, Kans., in place of John W. Willis, removed.

B. W. Hamar to be postmaster at Howard, Kans., in place of W. P. Heichert, removed.

KENTUCKY.

F. A. Casner to be postmaster at Providence, Ky., in place of Robert W. Hunter, resigned.

MASSACHUSETTS.

Patrick J. Dempsey to be postmaster at Williamstown, Mass., in place of James A. Eldridge, deceased.

Eben T. Hall to be postmaster at West Upon, Mass., in place of Lowell A. Jordan, resigned.

Edward W. Welch to be postmaster at Foxboro, Mass., in place of Walter E. Clarkin, declined.

MICHIGAN.

John Jay Cox to be postmaster at Scottville, Mich., in place of J. C. Mustard, deceased.

Henry Kessell to be postmaster at Orion, Mich., in place of O. H. P. Green, resigned.

LOUISIANA.

William H. Bennett to be postmaster at Clinton, La., in place of Elizabeth Reiley, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 29, 1913.

UNITED STATES ATTORNEY.

James C. Wilson to be United States attorney for the northern district of Texas.

UNITED STATES MARSHAL.

John Montag to be United States marshal for the district of Oregon.

POSTMASTERS.

MAINE.

Leon B. Clay, Lincoln.
William S. Mildon, Eastport.
W. H. Newbegin, Kezar Falls.
Stanley L. Wescott, Patten.
Oscar R. Wish, Portland.

OHIO.

Solomon C. Allison, Ashville.
C. C. Hadsell, Cortland.
Fred H. Johnson, Quaker City.
P. James McClain, West Carrollton.
Henry W. W. Spargur, Bainbridge.

GEORGIA.

Teressa G. Williams, Greenville.

WASHINGTON.

C. W. Grant, Toppenish.
Maury C. Hayden, Lind.
John F. May, Republic.

PORTO RICO.

Jose Carrera, Humacao.

REJECTION.

Nomination rejected by the Senate July 29, 1913.

Paul A. Jones to be postmaster at Coffeyville, Kans.

HOUSE OF REPRESENTATIVES.

TUESDAY, July 29, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, whose care over us is without end and whose ministrations are new every morning and fresh every evening, help us to worship Thee in the beauty of holiness and conform our lives to the highest ideals in the excellency of our behavior, that we may be worthy recipients of Thy love and wonderful work to the children of men; and we will ascribe all praise to Thee, through Jesus Christ our Lord, Amen.

APPROVAL OF THE JOURNAL.

The Journal of the proceedings of yesterday was read.

The SPEAKER. Without objection, the Journal as read will be approved.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What Journal was it that was read?

The SPEAKER. Yesterday's Journal.

Mr. MANN. I ask for the reading of the Journal in full.

The SPEAKER. The gentleman asks what?

Mr. MANN. For the reading of the Journal in full.

The SPEAKER. The Clerk will read the Journal in full.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. In previous sessions of the House recently, the Journal has not been approved. Now, is it the custom to approve all former Journals that were not approved, or just the Journal of the preceding day?

The SPEAKER. Either practice may be followed. Of course, each one of them has to be read before it is adopted. The last two Journals were never read at all. As soon as the Chaplain finished his prayer yesterday the gentleman from Massachusetts [Mr. GARDNER], who was acting minority leader, raised the point of no quorum. You can take it backward or forward. I do not think it makes a particle of difference in what order they are read.

Mr. MURDOCK. But they must be approved?

The SPEAKER. Yes; they must be approved. What the gentleman from Illinois [Mr. MANN] is doing is to demand the full reading of yesterday's Journal.

Mr. MANN. Mr. Speaker, I withdraw the request.

The SPEAKER. The gentleman from Illinois [Mr. MANN] withdraws his request that the Journal of yesterday's proceedings be read in full.

Mr. GARDNER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARDNER. To make a motion to correct the Journal. The Clerk read that "on the motion of Mr. UNDERWOOD the House adjourned." The motion was made by Mr. CLAYTON, of Alabama.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

Mr. TAYLOR of Arkansas. Mr. Speaker, on the last roll call I was recorded as not present. I was present and voted "yea."

The SPEAKER. That Journal has not yet been read. Without objection, the Journal of the proceedings of yesterday as read will stand approved.

There was no objection.